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Roosevelt and Frankfurter: An Essay Review
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The Academy of Political Science

Report of the President

Membership in the Academy continued to increase during 1969. At the end of the year there were 11,826 members, as compared with 10,953 at the end of the previous year. Generous support by members permitted the Academy to expand its programs. The Academy is particularly indebted to the 441 members who made contributions in excess of their regular dues, as contributing, sustaining, and supporting members.

Two conferences were held during the year: "Governing The City" in May and "The Corporation and the Campus" in November. For the latter conference the Academy returned to its practice of a decade ago and held the meeting in a midtown hotel of New York City. Attendance exceeded 500. This conference was jointly sponsored by the Academy and the Council for Financial Aid to Education with the assistance of a grant from the Sloan Foundation. Papers given at both conferences are being reprinted commercially for use in college classrooms. The *Proceedings* of the conference on "Governing the City" also is being reprinted in Japanese by the Tokyo Metropolitan Government, and "Urban Riots" has been reprinted in Italian by Ugo Guanda Editore in Parma. It is also gratifying to report that as they were published the various *Proceedings* were reviewed in such publications as the New York *Times*, the London *Times* Literary Supplement, *Foreign Affairs*, and the *New York Review of Books*.

In 1969 the *Political Science Quarterly* contained 21 articles and 132 books were reviewed. A special issue of the *Political Science Quarterly* on student unrest was published in June. Exceeding the normal size of the *Quarterly* by some forty pages and including articles by both American and European authors who are familiar with campus problems, the issue was well received.

During the coming summer the Academy will publish a sym-

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posium comprising a dozen or more articles on "The Unionization of Municipal Employees." During the past two decades professional standards for municipal employees have been raised, pay scales have risen, and a rapidly increasing number of employees have joined unions. At the same time problems have developed concerning methods of recruiting municipal employees, mediation of labor disputes, and generally rising costs of municipal services. The Academy proposes to examine objectively some of these problems in the forthcoming symposium, which will be published next fall.

Questionnaires were mailed to a random sample of Academy members who were asked to indicate their preferences regarding topics of future conferences. The results of the survey will be incorporated into plans for the coming year. The Academy is indebted to those members who filled out the questionnaires.

In cooperation with the School of International Affairs, the Academy co-sponsored the Gabriel Silver Memorial Lecture in October. The Honorable David A. Morse, director-general of the International Labour Office in Geneva, Switzerland, was the speaker. His lecture is published in this issue of the *Quarterly*.

Two new members have been added to the board of directors: Professor Wayne A. Wilcox, chairman of the department of political science at Columbia, and Mr. George T. Scharffenberger, president and chief executive officer of the City Investing Company. Thus the board was brought to full membership.

It has long been the custom of the Academy to name as honorary members certain distinguished American and foreign statesmen. In the past Dwight Eisenhower, Charles Evans Hughes, Winston Churchill, James Bryce, and Elihu Root were among those so honored. This year the board of directors elected Lyndon B. Johnson, former President of the United States, Lester B. Pearson, former Prime Minister of Canada, Earl Warren, former Chief Justice of the United States, and Dean Rusk, former Secretary of State, as honorary members of the Academy.

Respectfully submitted,
Robert H. Connery
President

December 31, 1969

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REXFORD G. TUGWELL, who is now a fellow of the Center for the Study of Democratic Institutions, was a member of the first administration of Franklin Roosevelt and a professor of economics at Columbia University and of political science at the University of Chicago. He recently received the Bancroft prize at Columbia for his book *The Brains Trust* (1968) and is the author of an earlier biography, *The Democratic Roosevelt* (1957).

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Unemployment in Developing Countries*

DAVID A. MORSE
Geneva, Switzerland

One of the most significant and sobering lessons of the development effort since World War II is the discovery that social progress and the rising levels of employment on which it depends do not automatically emerge from economic progress. Growth in the gross national product, rising industrial and farm output, and an increase in exports, investments, and exchange reserves have little meaning for the hundreds of millions who continue to live under conditions of bare subsistence or near starvation in the developing countries of Latin America, Africa, and Asia. Indeed, in such circumstances the term "development" would seem to be a serious misnomer, if not a cruel delusion.

The problem of employment is of rapidly increasing concern to the governments, employers, and workers of the world, particularly in developing countries. There is anxiety in government when increasing numbers of young people, who have left school and are unable to find jobs, roam the streets in lawless bands. There is anxiety in trade unions about the weakness of their bargaining position in a situation of surplus labor. Employers are anxious about the narrowness of their markets when there are many dependents and few breadwinners. Finally, there is anxiety

* An earlier version of this article was presented as a Gabriel Silver Memorial Lecture at Columbia University, Oct. 6, 1969.

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among the unemployed themselves, who, lacking training and skills, see little hope of ever emerging from the vicious circle of unemployment, poverty, and despair. These anxieties quite naturally find a focal point in the International Labour Office (ILO), which has from its inception been closely concerned with employment questions.

Until recently there has been a tendency to regard unemployment in less developed countries as a symptom of underdevelopment which would disappear as development proceeds. If this were in fact so, it would be sufficient to concentrate on promoting rapid economic growth and development, and employment could be left to look after itself. But experience shows that this is not so. On the contrary, countries that are undergoing rapid economic growth are still faced with increasing unemployment. And the present demographic situation in many of the developing countries makes it virtually certain that the scale of the problem will increase dramatically in the years ahead.

Economic growth is intended to benefit primarily the poor, but large numbers gain little or nothing from the process. In this connection the report published by the Commission on International Development headed by Lester Pearson is illuminating. It spoke of the climate of "disillusion and distrust" which has come to surround many foreign aid programs. Development progress was frequently disappointing, and there were "signs of frustration and impatience" in developing countries and a "sense of disillusion about the very nature of the aid relationship."[1] Reasons for this dissatisfaction include the widespread tendency to underestimate the importance of social objectives in development assistance and the mistaken belief that economic growth would on its own generate employment. Mr. Pearson's report is correct in stating that development is not a guarantee of political stability or an antidote to violence. One may go further and say that if development does not produce more jobs and a fuller role in society for the working man, it can have a definitely disruptive influence.

Robert McNamara acknowledged that economic growth does

[1] "Partners in Development," *Report of the Commission on International Development* (New York, 1969), 4-5.

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not imply full employment. In his address to the Board of Governors of the World Bank he pointed out that Venezuela, for example, which enjoyed a growth rate of eight per cent between 1950 and 1960, had more unemployment at the end of the decade than at the beginning.[2] That is why a new orientation toward the attainment of social as well as economic goals has to be given to the whole concept of development assistance. Once job-creation and other social benefits have been accepted as of equal importance with the growth of production, development will prove to be one of the strongest supports of order and stability.

To ensure that economic growth and development lead to higher standards of living for the poor in less developed countries, the International Labour Office in 1969, the fiftieth anniversary of its founding, launched the World Employment Programme. It provides, upon request, help to governments dealing with employment problems, and rivets the attention of all governments and international organizations on the urgent need to solve employment problems. The circumstances under which the project began and the goals which it was designed to achieve can best be described under four headings: the nature and extent of unemployment in developing countries; the kind of approach that the countries themselves may have to adopt in grappling with these problems; the relationship between employment and growth; and the kind of international perspective and international program that is needed.

I

In describing the nature and extent of unemployment and underemployment in developing countries, one should point out that the problems of the less developed countries now are very different from those of the developed countries in the nineteen-thirties. They are so different that the very use of the terms employment and unemployment to describe them may not be helpful—indeed, it may be misleading.

In the first place, a person can be considered unemployed only if, in Western parlance, he is a member of the labor force. But

[2] Robert S. McNamara, Address to the Board of Governors, World Bank Group, Washington, D. C., September 29, 1969.

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in developing countries, particularly in rural areas, the labor force classifications used in industrial societies are not appropriate. Men, women, and children contribute to production. Women may divide their time between work in the fields and in the home; children, between play and herding cattle. The situation is not much clearer in the towns. In countries with no unemployment compensation system the only people who can refrain completely from work are those who are supported in some way by others. This group includes a high proportion of young people not attending school and the educated who may be willing to accept only certain kinds of jobs. Others must find something to do even if it brings in only a pittance. This leads to overcrowding of the low-productivity service sector by people who, in industrialized countries, would remain unemployed and draw unemployment compensation but who, in developing countries, have to be regarded either as self-employed (though on many days they may do practically no work at all), or as dependents.

The inadequacy of the concept of unemployment to describe and measure involuntary idleness or, more broadly, under-utilization of labor in developing countries has, of course, been recognized, and the terms "underemployment" and "disguised unemployment" have been used to describe the situation of people who do some work but less than they could or would like to do. But these concepts (which are included in the term "unemployment" as used in this article) are even more difficult to define precisely than overt unemployment.

When the problem of collecting adequate statistics in developing countries is added to these conceptual difficulties, it becomes clear that any attempt to measure the extent of unemployment in these countries has to proceed on the basis of very inadequate data and very arbitrary assumptions. Yet measurement is necessary if concrete and realistic employment objectives are to be defined for economic development policies. Without some idea of the order of magnitude of the employment problems that countries face, it is impossible to determine what and how much to do, whether the situation is getting better or worse, and how policy measures are affecting it. One of the objectives of the World Employment Programme is to throw light on these questions. It is

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sufficient here to point out the complexity and variety of the problem, which no statistical series can fully portray.

But one can conclude without fear of contradiction that there are a great many people in the developing countries whose labor potential is, by any standards, underutilized. Some authorities have suggested that in these countries unemployment and underemployment represent a waste of something like twenty-five to thirty per cent of their total labor potential and that this percentage is increasing. This is a waste of at least the same order of magnitude as that experienced in the developed market economies in the worst years of the Great Depression. The result is not only vast economic waste, but also poverty, acute hardship, and suffering. It likewise contributes to political and social friction, leading to widespread unrest and driving countries to adopt policies that may be more harmful than the direct economic cost of unemployment itself. It means that economic growth is failing to achieve its ultimate objective.

II

What kinds of measures will developing countries have to take if they are to come to grips with this problem? The answers will certainly not be the same in all countries, though there will be some common elements. All governments will have to recognize the complexity of the problem of unemployment. Without attempting a comprehensive classification, one can mention some of the more important of these elements.

In rural areas of many developing countries there is unemployment as a result of landlessness or the low intensiveness of land use. In urban areas there is unemployment of several different kinds. One group of unemployed is made up of people who have recently moved to town from the country in search of jobs which they have not yet found. A second group consists of people who have completed, or dropped out of, primary school and have entered the labor market. Secondary school and university graduates make up a third group. Some members of these groups would, again in Western parlance, be considered "unemployed." But in addition to overt unemployment in the urban areas there is the massive underemployment of those who are precariously

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self-employed in handicrafts and services—as hawkers, peddlars, porters, people who offer to help you find a taxi, watch your car, or shine your shoes.

Once the various elements of the problem have been sorted out, once a government has taken a view as to their relative importance and as to the nature of the different causal factors, lines of attack begin to suggest themselves. Unemployment in rural areas due to landlessness may have to be attacked by bringing about changes in land distribution and land tenure, and if possible by opening up new land for cultivation. Employment in viable rural handicrafts and village industries, as well as in construction work, may also have to be developed. Underemployment in rural areas due to the low intensiveness of land use may have to be dealt with by devoting more resources, and in a more imaginative way, to agricultural extension work, to improved irrigation, and to increasing the supplies of fertilizers and high-yielding seeds.

Overt unemployment in urban areas will have to be attacked in several different ways, depending upon the relative importance of the elements involved in each country, but it is important to bear in mind the interdependence of rural and urban employment problems. In countries where rural living standards are very low and particularly where rapid population growth has caused subdivision of land into unreasonably small plots or has forced people off the land altogether, even the prospect of a fifty per cent chance of getting an urban job may seem more attractive than remaining in rural areas with little or nothing to do. So a government that succeeds in providing more urban jobs but does nothing to improve rural living standards and employment opportunities may discover that unemployment in urban areas will increase, and every new job may attract two or more newcomers from the countryside. One important conclusion which may be drawn is that measures to improve rural living standards are at least as important as measures to create new urban jobs; they may often be the most important way of coping with urban unemployment.

Public works no doubt have an important part to play in creating new urban jobs, particularly improvements in housing and

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sanitation in shanty towns. These are socially desirable in themselves and also provide work. Training is important if a surplus of unskilled labor coincides, as it usually does, with skill shortages. Fiscal measures can be adopted which give incentives to agriculture and industry to employ more labor and less capital.

National measures for employment promotion must be many-pronged. Employment promotion is not a matter that can be dealt with in isolation from a country's general economic and social development policies. On the contrary, employment promotion is a matter of giving adequate weight to employment considerations throughout the entire range of economic and social policy-making, including fiscal and monetary policy, international trade policy, and agricultural and industrial development and training policies.

III

It is important to know whether there is any conflict between promoting the growth of a country's national product and promoting employment. If there is no conflict, one need have no qualms in urging high priority for employment objectives. In circumstances where there is a conflict, it may still be found worthwhile to sacrifice some growth in order to achieve some additional employment—in other words, to choose a path of growth that will provide many new jobs quickly and will thus bring tangible benefits to the poor in the near future, even if it does not ensure the most rapid overall economic growth. For employment serves other goals than those associated with greater production and a larger aggregate income: it contributes to greater equality of income distribution in favor of the very poor. Most developing countries can neither afford nor administer extensive schemes to redistribute income, but they should be able to organize substantially broader opportunities for earning income from work. Employment also contributes to a sense of participation in the tasks and benefits of economic development, and brings into the mainstream of development activities people who would otherwise be left on the side. Although there are limits to the extent to which more employment should be considered to compensate for slower growth of overall output, since the absence of

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overall economic growth means stagnation and the perpetuation of poverty, this is basically a matter of finding the proper balance, which of course involves a political value judgment. Whether there may ultimately be some conflict between employment and growth, there is clearly broad scope for promoting employment in such a way that economic growth, far from being hindered, will be enhanced.

Relatively little work, analytical or empirical, has been done on the relationship between the growth of employment and the growth of output, though a useful start has been made.[3] The results of such quantitative work as has been done on the relationship between employment and growth are not conclusive. And there is, in any case, wide scope for altering the relationship by means of deliberate policy measures. Just as there are alternative paths of growth, some of which create more new jobs more quickly than others, so there are alternative ways of pursuing employment objectives, some of which are more conducive to rapid growth than others. To identify paths of growth which are optimal from this point of view, and to stimulate their acceptance in actual policy measures, is another objective of the World Employment Programme.

It may be of interest to consider, even in a speculative way, the effects on growth of some measures which governments might take to deal with the different major elements in their employment dilemma. It should be borne in mind throughout that, in both the agricultural and the industrial sectors, the employment content of a given level of production depends on two factors—

[3] See S. Wellisz, "Dual Economies, Disguised Unemployment and the Unlimited Supply of Labour," *Economica*, XXXV (1968), 122; L. Lefeber, "Planning in a Surplus Labour Economy," *American Economic Review*, LVIII (1968), 343; and J. C. H. Fei and G. Ranis, *Development of the Labor Surplus Economy: Theory and Policy* (Homewood, Ill., 1964). The United Nations Secretariat has constructed a model to serve as a basis for projections in the nineteen-seventies (E/AC. 54/L. 29/Rev. 1). In this model, which is based on the recorded experience of certain countries between 1960 and 1962, more rapid growth of production is associated with slower growth of employment. The authors of the paper point out that projections based on the type of equation used are subject to a high margin of error; it is not certain that more comprehensive or more recent data would have shown the same relationship.

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the "product mix" and the "technological mix." Some products and some techniques are inherently more labor-intensive than others.

Consider, first of all, changes in land tenure and land distribution. What is important for production and employment is not so much who owns the land, but who uses it, how efficiently it is used, and with what degree of labor-intensity. Land taxation can often be used as an instrument to encourage landowners to cultivate their land more intensively. But it is certain that agrarian structures in a number of countries are not suitable for both production and employment. One example of these structures occurs where excessive concentration of landownership is combined, on the one hand, with a concentration of economic, social, and political power which prevents the government from imposing or collecting adequate land taxes, and, on the other hand, with conditions of tenure that border on serfdom. In a number of countries very large estates, often situated in the best farming areas, are used in such a way that both production and employment are needlessly kept down. There is evidence that the division of such estates into family-size farms or into cooperatively owned holdings can lead to both increased production and fuller utilization of labor.[4]

There is a widespread belief that large farms are more efficient than small ones. But there is evidence that economies of scale on farms are often related primarily to labor-saving techniques.[5] And in poor countries with surplus labor and a shortage of land it is important to save land, not labor. Land-saving technologies such as improved seed varieties, fertilizers, insecticides, and weeding techniques can often be applied as effectively on small farms as on large ones.

The question may be raised, however, whether the future of agriculture does not lie in the mechanization of its processes and whether this will not lead to a reduction in agricultural employment. The answer to both parts of this question, in the long run, is probably yes. But even mechanization selectively applied can

[4] See, for example, Peter Dormer, Marion Brown, and Don Kanel, *Land Tenure and Reform: Issues in Land Development* (rev. ed.; Madison, n.d.).

[5] *Ibid.*

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make for greater use of manpower. For example, it may permit cultivation that would have been impossible with traditional techniques, or it may create opportunities for multiple cropping or improvements in water conservation. The fact that available supplies of agricultural equipment of all kinds are severely limited in developing countries should lead planners, for a long time, to favor types of mechanization that create rather than destroy employment.

It seems safe to conclude that, at least in many situations, appropriate changes in land tenure and land distribution can cause agricultural production and employment to expand together, provided that small landowners have access to necessary credit, supply, and marketing facilities, and the technical advice of agricultural extension services. In these circumstances there is no conflict between employment and growth objectives.

Another way of giving land to the landless is to open up new land for cultivation. This approach may sometimes be useful to avoid the difficult political problems which may arise when conditions of tenure on the existing cultivable lands are to be altered. Unexploited possibilities exist for increasing both agricultural production and employment by giving settlers opportunities to open up new land for themselves with carefully conceived, inexpensive support from the government in the form of tools and equipment, building materials if necessary, seed corn, and food stocks. Measures to promote more intensive use of land, particularly through improved agricultural extension work, seem likely also to promote a parallel and closely interrelated increase in production and employment.

Employment policy in urban areas has to focus mainly on the creation of additional wage-earning employment. On the basis of studies which have been undertaken in the ILO,[6] one can conclude that there tends to be less labor employed in wage-earning sectors of developing countries than would be desirable from the point of view of production and growth alone, leaving aside entirely the employment considerations. There are many reasons for this, of which only five need be enumerated.

[6] See, for example, *Human Resources for Industrial Development*, NS. 71, International Labour Office (Geneva, 1967), 189-90.

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In the first place, there may be a preference in some developing countries for modern capital-intensive equipment, products, and techniques for reasons of prestige. Capital-intensive methods should be used only in situations where they are clearly cheaper and more efficient in real terms than more labor-intensive methods. Second, there is a distortion in the arrangements for pricing of productive resources, with the result that capital and foreign exchange often appear cheaper than they really are because of fiscal methods or other forms of subsidy, whereas the employment of labor appears more costly than it really is if looked at from the point of view of the community as a whole. There are, for example, fiscal incentives for enterprises to reinvest profits; tax benefits result if new machines are purchased, but not if additional workers are hired. Third, labor-saving ideas are often embodied in modern machines and capital equipment which are assiduously promoted by skilled professional salesmen. At the moment no one has a corresponding interest in the "hard sell" of capital-saving, labor-intensive ideas—except the unemployed themselves. This situation is aggravated when, under "tied aid" programs, donor countries require that equipment be purchased from them, thus forcing recipient countries in many cases to import the most modern machinery available. Fourth, there are difficulties in managing a large labor force, and in many developing countries there is little skill in the area of personnel management. Fifth, little research has been directed to solving the technological problems of countries in which labor is abundant and capital scarce.

These various factors taken together mean that much capital-intensive equipment in developing countries is often used to do work that could be done by men and women at lower real costs to society as a whole. The capital that could be saved if labor-intensive solutions were chosen would be available to develop those key sectors where capital-intensive methods are really indispensable, to create additional production and employment, or to raise the productivity of labor in some existing jobs in which it is very low. There is need for much more intensive study of ways in which fiscal policies or other measures could be used to counteract these biases.

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Because of the many factors tending to restrict the employment of labor in less developed countries, one may conclude that there is great scope in these countries for measures of employment policy that will promote rather than impede immediate growth of output. In addition, there is a possible longer-term effect in which more widespread employment creates wider national markets, thus stimulating further investment and economic growth.

But the danger that ill-chosen measures to promote employment may impede growth should not be neglected. This may happen, for example, if enterprises are required by law to maintain on their payrolls larger numbers of people than they can productively employ; or if, in an effort to distribute a given amount among more people, the work week is shortened with no increase in hourly productivity and no reduction in weekly wages; or if people are heavily subsidized to produce expensively by hand in small workshops goods that could be produced more cheaply in real terms in factories.

Rather than resort to such artificial and damaging devices to create employment—devices which are likely to prove self-defeating in the long run—it would be better to give some thought to ways of ensuring an acceptable place in society for those who cannot be provided with jobs despite the most vigorous policies for increasing productive employment. To be realistic the developing countries must recognize that in modernizing their productive systems they may employ a smaller portion of their active population than did today's industrialized countries when they went through their stage of modernization. Know-how and technology are available today which require significantly less labor. More thought should therefore be given to those who will not be provided with employment. If the effective work is to be carried out by only a portion of the population, what is the rest of the potentially active population to do? These questions have to be raised, and some additional approaches to the employment problem have to be considered. Productive solutions are to be preferred so long as poverty remains. But to explore additional approaches and to promote appropriate action among the ILO's member states and its employer and worker constituents is a further objective of the World Employment Programme.

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IV

Finally we come to the need for seeing employment problems in an international perspective and to a consideration of the kind of international program that is needed to deal with them. It has already been pointed out that these problems cannot be solved, certainly not within any acceptable period of time, by the efforts of the less developed countries alone. They lack capital. They lack markets. They lack managerial expertise. They lack technological knowledge. They lack vocational skills and the capacity to impart them. And their population of working age is growing at an explosive rate.

The following are some of the steps that should be taken at the international level. First, international aid projects, whether financed and administered through multilateral or bilateral programs, should be subjected to a kind of "employment test." Do they help or hinder, or can they be made to foster, increasing productive employment? In preinvestment feasibility studies, for example, careful consideration should be given to the possibility of using more labor-intensive production methods. Greater emphasis should be placed on employment criteria in the distribution of international aid. More emphasis could be given to projects for rural and agricultural development and for the development of economically viable small-scale industries on a more labor-intensive basis. In the case of specific aid projects the granting by donor countries of more liberal terms on the question of "procurement tying" could result in the creation of more employment. Finally, the overall level of international aid should be seen in relation to employment objectives. Even with a pattern of development which is more "employment-oriented" than at present, the growth of productive employment in developing countries will still be closely related to the level of investment. In many of these countries the slow increase in productive employment is attributable basically to the insufficiency of capital investment. A substantial increase in the total flow of international capital aid may well be necessary to enable them to attain a satisfactory rate of employment growth.

Among the various forms of international aid special mention may be made of one that costs the donor countries virtually noth-

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ing but that can be extremely useful in helping recipient countries to mobilize unemployed or underemployed labor for productive purposes. These are bilateral or multilateral food aid. The distribution of food supplies that are surplus in the supplying countries, particularly the United States, has provided valuable support for the employment policies of countries in North Africa, Asia, and elsewhere. There is scope for further development of this form of aid, with appropriate safeguards to ensure that it does not lead recipient countries to neglect the expansion of domestic agricultural production.

Second, international trade policies also may have a major impact on the extent to which it will be possible for developing countries to increase their output of labor-intensive products for export. In the industrial field the developing countries are likely to continue for a long time to enjoy cost advantages in exporting certain labor-intensive products. By removing or substantially reducing trade barriers to importing such products, the industrialized countries could make an important contribution toward helping developing countries to accelerate the transfer of labor from agricultural to industrial employment, apart from enabling them to earn more foreign exchange. It would in many cases be in the interest of the industrialized countries to do so, since it would enable them to increase sales of the more sophisticated export products which the less developed countries cannot afford to buy unless they can sell their own products.

Third, in the work of technical-assistance missions concerned with management training or productivity improvement, emphasis needs to be placed on capital-saving rather than on labor-saving techniques. To consider labor-saving devices as synonymous with efficiency in production is appropriate only in countries where labor is scarce and costly. In most of the less developed countries it is much more important to save capital.

Fourth, since the overwhelming majority of all technological research and development work is done in industrialized countries and is aimed at meeting their own needs and solving their own problems, the most appropriate technology for countries with an abundance of labor and a shortage of capital may not yet be known. A good deal can be done at the national level to elaborate

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labor-intensive technologies applicable in the developing countries. But action at the international level is also required in order to assist in coordinating and focusing national efforts.

Fifth, it often happens that jobs cannot be provided for unskilled workers because of a shortage of supervisors, technicians, or skilled workers without whom the work of the unskilled or semiskilled cannot be effectively organized. Such shortages, for example, help to explain why multiple-shift work, which is one obvious way of employing more people and producing more goods with the same amount of capital equipment, is not more widely utilized in industry in less developed countries. Technical-assistance missions concerned with vocational training should place increased emphasis on identifying and training categories of key personnel to avoid bottlenecks that impede the expansion of production and employment of other categories of workers.

Sixth, in those developing countries that have launched family-planning campaigns, international aid is needed to furnish both expertise and resources which may not be available locally.

The preceding list is a reflection, at the international level, of the need for what has been called a many-pronged attack at the national level on the problem of employment promotion. It is also a reminder that planning for employment has to be integrated into general planning for economic and social development.

The scope of the required international program obviously exceeds the capacity and the particular field of competence of any single international agency. The resources needed can come only from the industrialized countries. Advice and technical assistance will have to be provided by other agencies as well as the ILO. The ILO can ensure that employment considerations are given adequate weight in the advice and help which it furnishes to governments in connection with, say, vocational and management training, wage policy, industrial relations, the organization of labor ministries, and other matters that are directly within the ILO's field of competence. But this would be of little use if other agencies were to neglect the area of employment in advising governments on matters of public finance, education, and agricultural or industrial development, for example. It is necessary, therefore, to try to imbue the entire international community

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with a sense of the urgency and importance of employment considerations. Many organizations are already fully convinced of the importance of these considerations. Indeed, a concerted international program, of which the ILO's World Employment Programme will form an essential part, is being prepared for the promotion of economic and social development during the decade of the nineteen-seventies.

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Hugo Black and Judicial Discretion

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That Hugo Black is one of the great men of his generation few would deny. That he is a master advocate seems equally clear. Few, perhaps not even Brandeis, can match him in the mounting of an argument. But is he a great judge? Many, of course, insist that he is. This view comes easily, if one is a liberal humanitarian—caring only for the policy outcome of a case (and willing to ignore many of Mr. Justice Black's recent results). Those, however—whether liberal or conservative—who care about method, who cannot dismiss law entirely as a myth, are not so easily persuaded.

If a great judge is one who leaves his mark upon the law, Mr. Justice Black no doubt is one of the elect. Yet largely because he is still so much with us, the essence of his impact is not entirely clear. Some see it in his quondam activism—his lionhearted insistence that we live up to our highest aspirations. Others find his efforts a monument to the emasculating effect of unworthy means upon great ends. Benevolent oligarchy after all is still oligarchy. But these are matters best left to our successors. The present purpose is simply to examine Mr. Justice Black's judicial techniques—the methods by which he reaches his striking results.

The foundation of his approach, it would seem, is distrust of judicial discretion and what he disdainfully calls "natural law." This may be his heritage from the "old Court" which taught so

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effectively that judges are not to be trusted with power to govern. Senator Hugo Black, it will be recalled, was a leader of the New-Deal Congress that found its main efforts gutted by judicial veto. In any event, Mr. Justice Black's major effort in constitutional law has been to eliminate from judicial cognizance some of the more troublesome problems, and to settle others by fixed, discretion-free "absolutes." The purpose is to minimize government by judges in favor of government by the people. Obviously the differences between Justices Black and Frankfurter—as the former has acknowledged[1]—is more a matter of method than of ultimate goals.

Yet for all his skepticism toward judges Mr. Justice Black is not after all a Learned Hand. Indeed he is (or was) obviously a dedicated social reformer. This may be a legacy from his formative years in impoverished, Populist, rural Alabama (see below). In any event, the paradox of a judicial reformer's zeal combined with a distrust of judges may be the crux of Mr. Justice Black's difficulties—particularly the ones that he resolves by finding "plain meanings" in at best dubious constitutional language and history.

I

Mr. Justice Black's votes suggest that he has little sympathy for the political-questions doctrine.[2] It is no doubt far too imprecise—too discretionary—for his taste. Yet he (and apparently he alone among his colleagues) is prepared to leave for the political processes two of the most litigated problems in American constitutional law: state intrusions upon interstate and local business. In both of these areas the "old Court" had exercised discretion with remarkable imprudence—or so it seems with hindsight.

The Articles of Confederation failed largely because they gave national trade no protection from parochialism. The Constitution makes good that failure. Ever since John Marshall's day

[1] Hugo L. Black, "Mr. Justice Frankfurter," *Harvard Law Review, LXXVIII* (1965), 1521.

[2] See, for example, *Colgrove* v. *Green*, 328 U.S. 549 (1946), and its successors; see also Hugo L. Black, *A Constitutional Faith* (New York, 1969), 14 ff.

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> it has been accepted constitutional doctrine that the commerce clause, without the aid of Congressional legislation, . . . affords some protection from state legislation inimical to the national commerce, and that in such cases, where Congress has not acted, this Court and not the state legislature, is under the commerce clause the final arbiter between the competing demands of state and national interests. . . .[3]

Some find the unique genius of our economy not in any special capacity of American businessmen, but in our vast common market, without which there would be no occasion or incentive for mass production and mass distribution. What freedom we have from local impediments upon the national market comes largely from the Court. In the long view this may be one of judicial review's more successful achievements:

> It is easy to mock or minimize the significance of "free trade among the states" . . . which is the significance given by a century and a half of adjudication in this Court. With all doubts as to what lessons history teaches, few seem clearer than the beneficial consequences which have flowed from this conception of the Commerce Clause [as a negative upon the states].[4]

If we measure by the number of cases, this is probably the most important area of constitutional litigation. But the Court's effort need not rest entirely upon its accomplishments or upon history. When a state taxes or regulates interstate commerce, it generally burdens people in other states. Judicial intervention may be justified on the grounds of violation of one of the most basic democratic principles, no taxation (or regulation) without representation.

Yet there can be no denying—with the wisdom of retrospect—that from the eighteen-nineties to 1937 the Court too often misused its power under the commerce clause in the interest of laissez faire.[5] Apparently focusing on this abuse, Mr. Justice Black would repudiate the power itself, even though, like all judges, he knows there must be a national veto to protect the nation from

[3] *Southern Pacific Co.* v. *Arizona*, 325 U.S. 761, 769 (1945).

[4] *Panhandle Eastern Pipeline Co.* v. *Michigan Public Service Com.*, 341 U.S. 329, 340 (1951).

[5] See, for example, *Di Santo* v. *Pennsylvania*, 273 U.S. 34 (1927).

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the myopic states. And so, insisting this is a legislative matter, he holds that the veto should be exercised by Congress rather than by the courts.[6] To substitute parliamentary supremacy for judicial review in this context is a fascinating thought, but it is not the system that we have adopted. Indeed it reflects in essence the old Virginia Plan which the Constitutional Convention rejected in favor of a court-enforced supremacy clause.[7]

Political realism, perhaps, has led the Justice to soften his position. He recognizes belatedly that in cases of "patent discrimination" against interstate trade the Court must act.[8] The term "patent" is revealing. If a court must intrude upon state commerce policy, it should do so only in obvious cases, that is, cases plain enough to foreclose the need of any significant judicial discretion. The difficulty, of course, is that what is obvious to one observer is not necessarily obvious to another.

Meanwhile a unanimous Court, while refusing to discard the ancient tradition of judicial review of state commerce policy, has "conceded" to Mr. Justice Black that these are matters on which Congress must have the last word.[9]

The commerce clause was not the only instrument of the "old Court's" commitment to Herbert Spencer; the Fourteenth Amendment suffered as well. The states, then, were hampered in the regulation of local as well as interstate business. Judicially imposed laissez faire has now gone with the wind, but the Court is still prepared to consider "substantive due process" claims on the Holmesian reasonable-man basis. Mr. Justice Black takes a more Spartan view, evidently finding in due process no substantive restrictions whatever upon state power to regulate the local economy.[10] In fact he has rejected as too "frivolous" for judicial re-

[6] See, for example, his dissenting opinion in *Southern Pacific Co.* v. *Arizona*, 784.

[7] A. C. McLaughlin, *A Constitutional History of the United States* (New York, 1936), 163 ff.

[8] *H. P. Hood* v. *Du Mond*, 336 U.S. 525, 545, 552, notes 2 and 3 (1949); see *Bibb* v. *Navajo Freight Lines, Inc.* 359 U.S. 520, 529 (1959), for a slight further softening.

[9] *Prudential Insurance Co.* v. *Benjamin*, 328 U.S. 408 (1946); see also the discussion of this point in *Southern Pacific Co.* v. *Arizona*, 769.

[10] *Polk* v. *Glover*, 305 U.S. 5, 10 (1938); *Ferguson* v. *Skrupa*, 372 U.S. 726

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view business claims which every one of his colleagues has found worthy of adjudication.[11]

Just as disenchantment with judges prompts Mr. Justice Black to leave much to legislatures, so, too, he would expand the role of juries at the expense of judicial discretion. Dissenting in 1943, he insisted that for 150 years (no less!) judges have been eroding away "a major portion of the essential guarantee of the Seventh Amendment."[12] The chief evil, in his view, is the directed verdict. For generations state and federal judges have exercised such authority (subject to review on appeal) when, as they see it, the evidence in a case unmistakably points only in one direction. The thought is that a jury's function is to decide between competing factual claims when the evidence is in substantial conflict. If, however, a court is satisfied that rational men could find only one way, it may take a case from the jury. This is a safeguard against runaway verdicts. Experience suggests, for example, that in contests between unfortunate (injured) plaintiffs and rich corporate defendants, juries tend to follow their sympathies rather than the evidence. It costs them nothing, after all, to be generous with other people's money.

While Mr. Justice Black does not quite say every litigant has an absolute right to a jury verdict, his practice suggests that he is not far from that position. In sixty-odd Federal Employer's Liability Act cases that raised this problem over a period of twenty-one years, for example, the Justice voted only once to support a directed verdict.[13] In each instance a United States Court of Appeals or a state appellate court had agreed with the trial judge that the jury could not rationally find for the plaintiff.

The Justice, however, seems to distinguish between economic and other claims. In criminal proceedings he apparently finds

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(1963), in which, retreating a bit, Mr. Justice Black may have all but carried the day; see also *FPC* v. *Natural Gas Pipeline Co.*, 315 U.S. 575, 599 (1942).

[11] *Cities Service Gas Co.* v. *Peerless Oil and Gas Co.*, 340 U.S. 179, 189 (1950); *Phillips Petroleum Co.* v. *Oklahoma*, 340 U.S. 190, 192 (1950).

[12] *Galloway* v. *United States*, 319 U.S. 372, 396 (1943); but see E. G. Henderson, "The Background of the Seventh Amendment," *Harvard Law Review*, LXXX (1966), 289.

[13] See W. Mendelson, *Justices Black and Frankfurter: Conflict in the Court* (Chicago, 1961), 24.

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no erosion problem in a very recent innovation which permits the Supreme Court to override jury verdicts in cases involving alleged coerced confessions.[14] His moving opinion in *Chambers* v. *Florida*[15] may be the real beginning of the modern doctrine. We are told by one who should know that this decision, reached "after great internal struggles," was "not easy" for the Justice.[16] Perhaps the ancient "innovation" with respect to civil juries was equally difficult for those who made and followed it.

If Mr. Justice Black seems at odds with himself on the sanctity of trial by jury, the discrepancy is largely "nominal." In both situations he was, typically, on the generous side, here the side of the injured plaintiff workman and the criminal case defendant.

II

In due process and commerce clause litigation where only property is at stake, Mr. Justice Black would eliminate judicial discretion by all but eliminating the cases. He is not prepared to follow that heroic course with respect to "personal liberty." The problem then is to find a way to exclude judicial discretion in civil liberty cases without excluding judicial review. He found a solution in "absolutes," but this came only after an extended period of trial and error.

Most crucial constitutional litigation now arises under the Fourteenth Amendment. It guards liberty and property via the same terminology in the same clause: "nor shall any State deprive any person of life, liberty, or property without due process of law. . . ." Thus to distinguish between liberty and property for purposes of judicial cognizance presents some difficulty.

Mr. Justice Black's first effort—apparently influenced by Beard's "conspiracy theory"[17]—was to repudiate the long settled view that corporations are "persons" within the meaning of the

[14] *Brown* v. *Mississippi*, 297 U.S. 278 (1936).

[15] 309 U.S. 227 (1940).

[16] Charles Reich, "Mr. Justice Black and the Living Constitution," *Harvard Law Review*, LXXVI (1963), 679.

[17] See H. J. Graham, "The Conspiracy Theory of the Fourteenth Amendment," *Yale Law Journal*, XLVII (1938), 371.

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due process clause.[18] Since most business is conducted by corporations, this would go a long way toward the Justice's apparent goal. The difficulty was that corporations publish newspapers. To deny them due process protection would jeopardize freedom of the press—as the Justice "discovered" in *Times-Mirror*.[19] Another approach proved awkward when he sought to by-pass due process in favor of the privileges and immunities clause as a shield for free utterance.[20] This would circumvent the troublesome term "property" in the due process clause, but, since the privileges and immunities clause protects only citizens, it would also leave aliens without civil-liberty protection—a difficulty which showed up in the case of the alien Bridges.[21] Something more satisfactory would have to be found.

To appreciate Mr. Justice Black's final solution one must recognize the dimensions of the problem. The Thirteenth Amendment had abolished slavery, but the Black Codes soon demonstrated that Negroes were far from free. As though recognizing the impossibility of enumerating all existing and future forms of human cruelty, the framers of the Fourteenth Amendment resorted to the broad generalities of the privileges and immunities, due process, and equal protection clauses. To avoid strait-jacketing precision, they risked vagueness. The Radical Republican sponsors of this ploy also found ambiguity helpful in garnering moderate support that would have been alienated by more outspoken terminology. And so the Fourteenth Amendment stands as a trap to test the skill of judges and their respect for the political processes.

After years of exegesis by the common law process of "inclusion and exclusion," it fell to Mr. Justice Cardozo to answer counsel's argument that the Fourteenth Amendment imposed upon the states those restrictions which the Bill of Rights imposes upon the national government.[22] Examining the relevant decisions,

[18] *Connecticut General Life Ins. Co.* v. *Johnson*, 303 U.S. 77, 85 (1938); *Wheeling Steel Corp.* v. *Glander*, 337 U.S. 562, 576 (1949).
[19] *Times-Mirror* v. *Superior Court of California*, 314 U.S. 252 (1941).
[20] *Hague*, v. *C.I.O.*, 307 U.S. 496 (1939).
[21] *Bridges* v. *California*, 314 U.S. 252 (1941).
[22] *Palko* v. *Connecticut*, 302 U.S. 319 (1937).

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he found that counsel's view had never been the law. Yet the Court had "absorbed" some Bill of Rights claims into the Civil War amendment, just as it had rejected others. With the creativity of a great common lawyer, Mr. Justice Cardozo found a rational pattern in the time-tested, piecemeal efforts of many judges over a long period of years. This pattern—the *Palko* rule—was adopted as a guide for decision. In brief, the general provisions of the Fourteenth Amendment embrace only those principles "of justice so rooted in the traditions and conscience of our people as to be ranked as fundamental." Other less basic matters are within the province of local self-government. This approach sustained a legislative estimate of contemporary needs in the instant case. It was clear enough to yield a high degree of predictability, but still sufficiently flexible to accommodate an unknowable future. Above all, its growth potential was geared to the community's developing sense of values, not to the private preferences of a few independent judges.

Mr. Justice Black joined in Cardozo's *Palko* opinion. But he soon found it unacceptable (it is "imprecise," and does not exclude protection of property). In Mr. Justice Black's later view *Palko* must be the apotheosis of all the evils of "natural law."[23] And so after the false starts already mentioned he presented his ultimate solution in the *Adamson* dissent.[24] The privileges and immunities, due process, and equal protection clauses "separately, and as a whole"[25] mean *no more and no less* than the restraints enumerated in the Bill of Rights. This he insisted had been the historic purpose of the Fourteenth Amendment. The vagueness of the Civil War settlement would be cured by the "clearly marked . . . boundaries," the "specific" and "particular standards enumerated" in the Bill of Rights.[26]

[23] See his opinions in *Griswold* v. *Connecticut*, 381 U.S. 479, 507 (1965); *Adamson* v. *California*, 332 U.S. 46, 68 (1947); *FPC* v. *Natural Gas Pipeline Co.*, 599.

[24] *Adamson* v. *California*, 68.

[25] *Ibid.*, 71. This language was designed apparently to avoid the difficulties encountered in Mr. Justice Black's earlier efforts, mentioned above. The problem, however, remains. What clause or combination of clauses is broad enough to embrace the liberty of aliens, citizens, and corporations, but narrow enough to exclude their property?

[26] See note 23, above.

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History—or was it instant history?[27]—"permitted" the Justice to do what he was not prepared to do via raw judicial discretion; namely, to incorporate the Bill of Rights into—and perhaps exclude substantive property interests from—the Fourteenth Amendment. Yet the Justice has found anti-historic meanings in the incorporated charter. The pristine purpose of the Sixth Amendment, for example, was to kill the common-law ban on legal counsel for criminal defendants; not to require government to furnish counsel for indigents.[28] How can the relatively mild separate-but-equal principle be outlawed by the (incorporated) Bill of Rights when slavery itself was not?[29] Surely there is nothing in history or in the "standards enumerated" in the great (incorporated) charter of 1791 which prohibits geographic representation in state legislatures (though not in Congress).[30] Surely neither history nor the long accepted meaning of words warrants the view that obscenity, libel, and slander are protected as freedom of speech and press.[31] Except for a recent reaffirmation,[32] one might have supposed Mr. Justice Black had long since abandoned his *Adamson* absolute for a more discretionary approach—which is what Mr. Justice Douglas explicitly has done.[33] This "switch in time" permitted Douglas to find meaning in the Fourteenth Amendment beyond the "specific" and "particular standards enumerated" in the Bill of Rights. He does not have to hold

[27] See C. Fairman and S. Morrison, "Does the Fourteenth Amendment Incorporate the Bill of Rights?" *Stanford Law Review*, II (1949), 5, 140.

[28] W. Beaney, *The Right to Counsel in American Courts* (Ann Arbor, 1955), 27-44.

[29] *Brown* v. *Bd. of Education*, 347 U.S. 483 (1954); see also *Dred Scott* v. *Sanford*, 19 Howard 393 (1857).

[30] *Lucas* v. *Forty-Fourth General Assembly*, 377 U.S. 713 (1964). Only Mr. Justice Douglas had concurred fully in his brother Black's dissent in *Adamson*. He bowed out in time for the reapportionment cases, however. See *Poe* v. *Ullman*, 367 U.S. 497, 516 (1961), in which Mr. Justice Douglas shifts from Black's *Adamson* position to the Rutledge-Murphy position in *Adamson*.

[31] *New York Times* v. *Sullivan*, 376 U.S. 254, 293 (1964); E. Cahn, "Justice Black and First Amendment 'Absolutes': A Public Interview," *New York University Law Review*, XXXVII (1962), 557-59; see note 35, below.

[32] *Griswold* v. *Connecticut*, 525.

[33] See note 30, above. It will not do to argue that Mr. Justice Black escapes his *Adamson* "straight jacket" via an expansive concept of "due process." See his very narrow view of that provision in *Application of Gault*, 87 S. Ct. 1428, 1462 (1967), and *Stovall* v. *Denno*, 87 S. Ct. 1967, 1974 (1967).

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that the "incorporated" Bill of Rights forbids a geographic senate, but the Bill of Rights does not, that "trees or acres" may be represented in the Senate of the United States, but not in the Senates of Alabama and Colorado. So, too, he avoids his brother Black's implication that by "specific" and "particular standards" the Constitution distinguishes between geographic representation and poll taxes—to say nothing of contraceptives.[34]

A more determined absolute for Mr. Justice Black is freedom of expression. Massive evidence demonstrates that at best the purpose of the First Amendment's utterance clauses was to codify Blackstone,[35] to outlaw "previous restraints," but not subsequent punishment for words having a "pernicious tendency."[36] Until quite recently this view "has been followed by American commentators of standard authority as embodying correctly the idea incorporated in the constitutional law of the country by the provisions in the American Bills of Rights."[37] Henry Schofield's famous essay in 1914 probably initiated the modern libertarian view. It begins, however, by recognizing that the "nearly if not quite unanimous expressed view of our judges always has been, and is, that the constitutional declarations of liberty of the press are only declaratory of the English common-law right protected by the English courts at the time of the Revolution. . . ."[38]

III

After a long series of experiments—not unlike his search for meaning in the Fourteenth Amendment—Mr. Justice Black (bypassing history) found solace in the "plain meaning" of words. The "Bill of Rights means what it says"; " 'no law abridging' means *no law abridging*"; government cannot punish people for

[34] See *Reynolds* v. *Sims*, 377 U.S. 533, 562 (1964); *Harper* v. *Virginia Board of Elections*, 383 U.S. 663 (1966); *Griswold* v. *Connecticut*.

[35] See, for example, Leonard W. Levy, *Legacy of Suppression* (Cambridge, Mass., 1960); T. M. Cooley, Constitutional Limitations (7th. ed.; Boston, 1903); Henry Schofield, "Freedom of the Press in the United States," in *Essays on Constitutional Law and Equity*, II (Brookline, Mass., 1921).

[36] 4 *Commentaries* 151 (1769).

[37] Cooley, 602.

[38] Schofield, 510-11.

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talking about public affairs "whether or not such discussion incites to action, legal or illegal."[39] In short, "the First Amendment with the Fourteenth 'absolutely' forbids laws punishing public discussion [here race libel] without any 'ifs' or 'buts' or 'whereases.' " In this view even the universally traditional limitations upon libel, slander, and obscenity are invalid.[40] Repudiating the "sophisticated" view that "you cannot have any absolute 'thou shalt nots,' " the Justice concludes: "I have an idea there are some absolutes. I do not think I am far in that respect from the Holy Scriptures."[41]

Semantics, like history, is not without difficulty. No doubt the First Amendment does mean what it says, but it says different things to different people, indeed to different libertarians. What it says to Mr. Justice Black is not always the same as what it says to Mr. Justice Douglas;[42] so, too, with Holmes and Brandeis.[43] Similarly, even such stout libertarians as Chafee and Meiklejohn find themselves at odds.[44] No wonder the latter chides those who insist that the words "abridging the freedom of speech or of the press" are "plain words, easily understood."[45] And in the end Chafee concluded:

> The truth is, I think, that the framers had no very clear idea as to what they meant by "the freedom of speech or of the press," but we can say . . . with reasonable assurance . . . that the freedom which Congress was forbidden to abridge was not, for them, some absolute concept which had never existed on earth.[46]

[39] The language quoted here and immediately following is found in *Koenigsberg* v. *California*, 366 U.S. 36 (1961); *Smith* v. *California*, 361 U.S. 147 (1959); *Barenblatt* v. *United States*, 360 U.S. 109 (1959); *Yates* v. *United States*, 354 U.S. 298 (1957); *Beauharnois* v. *Illinois*, 343 U.S. 250 (1952).

[40] See note 31, above.

[41] Cahn, 562.

[42] See, for example, *Communist Party* v. *SACB*, 367 U.S. 1 (1961); *Barr* v. *Mateo*, 360 U.S. 564 (1959); *Tenny* v. *Brandhove*, 341 U.S. 367 (1951).

[43] *Meyer* v. *Nebraska*, 262 U.S. 390 (1923); *Gilbert* v. *Minnesota*, 254 U.S. 325 (1920).

[44] See Zechariah Chafee's review of Alexander Meiklejohn, *Free Speech and Its Relation to Self-Government*, in *Harvard Law Review*, LXII (1949), 891.

[45] "The First Amendment Is an Absolute," *Supreme Court Review* (1961), 245, 247.

[46] Chafee, 897-98.

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The difficulty with the First Amendment, of course, is not in its "thou shalt not" provision, but in the term "the freedom of speech or of the press." Is there any more equivocal term than "freedom"? What is freedom for the fox is death for the hen—a proposition strikingly relevant, for example, in incitement, defamation, and trial-by-newspaper cases. The framers might have spoken more clearly (and more expansively) if they had omitted the weasel word and had provided simply: "Congress shall make no law restricting communication."[47] Plainly they meant to say less than this. But how much less?

No justice has ever suggested that freedom of speech means freedom to say anything that one might choose at any time and any place. Precisely because the First Amendment provides no standards for distinguishing between the licit and the illicit, judges must exercise discretion. Since there are at least two sides in litigation, this is often—and oversimply—called "balancing." For Mr. Justice Black that approach is an anathema to be avoided by automation. Unwilling to abdicate in free-utterance cases (as he would in many property matters), he resorts to absolutism.[48] Yet this is no escape from discretion, if only because a judge must choose among absolutes. Shall it be liberty or property?[49] Even if we find that one of these alone is written in the stars (or in the Fourteenth Amendment), we are still plagued with choice. For both property and liberty have many facets.

John Marshall and his colleagues, for example, had a penchant for vested property rights.[50] In *Fletcher* v. *Peck*[51] they had to choose between property initially vested in a state (for its peo-

[47] This, plus the word "the" preceding the term "freedom of speech," suggests they intended to embrace the then liberal concept of free utterance as they found it in Blackstone. See notes 35-37, above, and related text.

[48] But see his recent opinions in *Brown* v. *Alabama*, 86 S. Ct. 719, 729 (1966), *Adderley* v. *Florida*, 87 S. Ct. 242 (1966), and *Cox* v. *Louisiana*, 85 S. Ct. 453 (1965), where free utterance seems to get balanced off against something else.

[49] See *Dred Scott* v. *Sandford*, in which the Court had an opportunity to choose between (a Negro's) "liberty" and (a slaveholder's) "property" as those terms are used in the Fifth Amendment.

[50] See E. S. Corwin, "The Basic Doctrine of American Constitutional Law," *Michigan Law Review*, XII (1914), 255.

[51] 6 Cranch 87 (1810).

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ple) and the adverse property claims of allegedly innocent purchasers from a fraudulent land company. Later, in the *Charles River Bridge* Case,[52] the Court had to weigh older against newer forms of vested property—ultimately the claims of turnpike owners against those of canal and railroad companies.

We have heard much recently of "the right to privacy." Some have forgotten that when Warren and Brandeis introduced that concept, they did it to protect "inviolate personality" from freedom of the press. Years later Mr. Justice Brandeis—Holmes concurring—observed that "although the rights of free speech and assembly are fundamental, they are not absolute."[53] Thus it is long settled that verbal freedom ends where defamation of character begins. Obviously we place higher value in the sanctity of reputation—though it is not mentioned in the Bill of Rights—than in free talk. So, too, our concern for life is such that Holmes did "not doubt for a moment" that government may punish verbal "persuasion to murder."[54]

The point is obvious. Only some finite phase of liberty or property is ever at stake in a law suit, and inevitably it is in contest with another cherished but finite claim. The fraction, claiming to be surrogate for the whole, pretends as such to be an absolute. Then, for example, freedom of the press clashes with the right to a fair trial. But nothing more is before the Court than a few unfortunate editorials which, in their unique setting, may or may not jeopardize a particular trial.[55]

We simply extract from a premise what we put into it, if we decide such issues by labeling either fair trial or free press an absolute. The label merely describes a result. Too often it achieves decision by an a priori balancing of abstractions, with little regard for the peculiar circumstances before the Court. This evades the real-world issue: Did these particular editorials substantially threaten to pervert the outcome of this particular trial? That is

[52] 11 Peters 420 (1837).

[53] See *Griswold* v. *Connecticut*; "Privacy," *Law and Contemporary Problems*, XXXI (1966), 251-432; Samuel D. Warren and Louis D. Brandeis "The Right To Privacy," *Harvard Law Review*, IV (1890), 193; *Whitney* v. *California*, 274 U.S. 357, 373 (1927).

[54] *Abrams* v. *United States*, 250 U.S. 616, 627 (1919).

[55] See *Craig* v. *Harney*, 331 U.S. 376 (1947).

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largely a factual issue[56] in a zone of tension between two legal principles. Surely Platonic abstractions are not helpful here. That is why the Court rejects absolutism in favor of "balancing." This means, or should mean, simply that, caught in a clash of pretending absolutes, the Court balances the conflicting claims as best it can. More accurately, it reviews the balance struck by the primary deciding agency (here a trial judge or a jury, in other contexts a legislature). The issue on review is the traditional issue, as outlined by Learned Hand for cases involving the validity of statutes:

> If a court be really candid, it can only say: "We find that this measure will have this result; it will injure this group in such and such ways, and benefit that group in these other ways. We declare it invalid, because after every conceivable allowance for differences of outlook, we cannot see how a fair person can honestly believe that the benefits balance the losses.[57]

IV

Balancing puts the judge (and his discretion) in the decisional process, for good or ill. Unfortunately the absolute approach, whether in proprietarian or libertarian hands, does so, too. The "old Court" discredited for all time the pretense that the Constitution is so loud and clear that judges need not participate in the judicial process—or at least no more than to put statute beside Constitution to see whether they square.[58] Too many opinions hide the inevitable weighing process by pretending that judgments spring full-bloom from a document written generations ago by men who had not the slightest notion of the world in which we now live. Surely the choice is simply this: shall judicial discretion (balancing) be exercised openly and rationally or covertly and intuitively (behind the guise of absolutes)?

Open, rational balancing promises a particularized account of how a court arrives at its decision, instead of the familiar parade

[56] See the opinion of Mr. Justice Brandeis in *Burnet* v. *Coronado Oil and Gas Co.*, 285 U.S. 393, 405, 410-11 (1932).

[57] Learned Hand, *The Spirit of Liberty* (2d. ed.; New York, 1953), 179.

[58] *United States* v. *Butler*, 297 U.S. 1, 62-63 (1936).

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of hallowed abstractions, elastic absolutes, and made-to-order history. Overt balancing makes it more difficult for a judge to rest on his biases without ever subjecting them to the test of reason. It should also provide a more rational basis for audits of judicial accounts. If in *Barenblatt*, for example, wrong things are balanced, the error can be exposed—with hope for improvement in technique through a continuing intellectual dialogue. But what chance is there for reason, for progress by trial and error, in the realm of a Platonic absolute, particularly one deemed comparable to "the Holy Scriptures"?

To avoid the tyranny of abstractions, Holmes admonished us the think things, not words; and Brandeis labored to shift the focus of judicial attention from wordplay to the facts of life. The "old Court" that goaded them into dissent was not cruel; it was blinded by "absolutes." Engrossed in heavenly preconceptions, it failed to see the earthy meaning of child labor, sweatshops, and yellow-dog contracts. The whole purpose of the Brandeis brief was to cure this blindness, to bring the decisional process down to earth. Walter Lippmann's words in another context are relevant here: "When men act on the principle of intelligence they go out to find the facts. . . . When they ignore it, they go inside themselves and find only what is there. They elaborate their prejudice instead of increasing their knowledge."

The crucial difference between balancing and absolutism is classically illustrated in *Southern Pacific Co.* v. *Arizona*. In what purported to be a safety measure, the state had limited the length of all trains operating within its borders. This was challenged on familiar *Cooley* grounds as a stricture on the national market. After stressing the Court's historic role in such cases, Chief Justice Stone, for the Court, examined the competing interests. On the one hand:

> Because of the Train Limit Law appellant is required to haul over 30% more trains in Arizona than would otherwise have been necessary. The record shows a definite relationship between operating costs and the length of trains, the increase in length resulting in a reduction of operating costs per car. The additional cost of operation of trains complying with the Train Limit Law in Arizona amounts for the two railroads traversing that state to about $1,000,-

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> ooo a year. The reduction in train lengths also impedes efficient operation. More locomotives and more manpower are required; the necessary conversion and reconversion of train lengths at terminals and the delay caused by breaking up and remaking long trains upon entering and leaving the state in order to comply with the law, delays the traffic and diminishes its volume moved in a given time, especially when traffic is heavy. . . .[59]

What, on the other hand, were the safety gains to offset these burdens upon shipper and consumer? The rationale of the law was that slack action increases in proportion to the length of a train and that slack action causes accidents. The record, however, indicated that any reduction in slack-action difficulties resulting from shorter trains was more than offset by increasing accidents from other causes (grade crossings, for example) due to the thirty per cent increase in the number of trains. In fact, the Court found, the "accident rate in Arizona is much higher than on comparable lines elsewhere, where there is no regulation of the length of trains." Finding substantial weight on the national side of the scale and nothing to counterbalance it, the court struck down the Arizona "safety" law. Surely, from beginning to end it was nothing but a "featherbedding" measure dressed up in safety terminology in an effort to get a favorable judicial response.[60]

Mr. Justice Black was highly critical. In his view the relative weight of the competing state and national interests was simply irrelevant to the judicial function in such cases. In his absolute view the judge's job is quite simple. There is little room for judgment. In the absence of what he calls "patent discrimination"[61] such state laws may not be questioned in court, regardless of their effect upon the national market (and despite the ancient tradition of judicial review in such cases). Conversely, it would seem, "patent discrimination," however harmless in a particular setting, absolutely invalidates a state measure. But why is "patent discrimination" necessarily more worthy of judicial attention than the kind of burden that was "patent" in *Southern Pacific?* If

[59] *Southern Pacific Co.* v. *Arizona*, 771-72.

[60] The Court has always gone far to sustain bona fide state safety regulations despite their impingement upon interstate commerce. A number of these cases are discussed in *Southern Pacific.*

[61] See note 8 and related text, above.

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maintenance of an open national market justifies some descent from absolutes to realities in discrimination cases, why not in others? Had the Court in *Southern Pacific* ignored the relevant facts of life, would it not have been vulnerable to the kind of criticism that Stone, Holmes, and Brandeis leveled at the "absolutism" of the "old Court" in *Di Santo* v. *Pennsylvania*, for example? Indeed Stone's opinion in *Southern Pacific* is simply the positive side of his famous dissent in *Di Santo*.

Some may find an even more striking triumph of absolutism over reality in Mr. Justice Black's *Dean Milk* dissent.[62] There he saw nothing significant but health considerations in an ordinance prohibiting sale within a city of milk pasteurized more than five, or produced more than twenty-five, miles away, regardless of the quality or safety of the outside milk. The city, it may be noted, lay in the heart of a major Wisconsin dairy district. Without suggesting fraud, but perhaps with tongue in cheek, the court accepted the restricting ordinance as a bona fide health measure. Yet it found that legitimate local health interests could be secured without such draconian interference with the national (and local consumer) interest in an open competitive interstate market. Here as in *Southern Pacific* the Court, balancing legitimate local and national claims, chose a solution calculated to preserve the essence of both. Of course, for those who see nothing but a genuine health claim in *Dean Milk*, there is no problem and nothing to balance. Not so for those who see conflicting interests—none of which the Constitution gives a clear priority. It comes perhaps to this: if there is no reason to doubt one's premise, absolutism may be a sound approach where only one interest is at stake. But surely judgment, weighing, balancing, accommodation, must be the rule in litigation that entails a clash of rival interests—and competing constitutional principles (in *Southern Pacific* and *Dean Milk* the states' "police power" and the national commerce power).

V

All of Mr. Justice Black's detours around discretion—his abdications, absolutes, histories, and plain meanings—until recently

[62] 340 U.S. 349 (1951).

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have led to a common "philosophic" destination.[63] Surely, then, they were themselves exercises in discretion. The Justice was not above the battle, he was in it. He was Martin Luther, not Erasmus. One "cannot raise the standard against oppression, or leap into the breach to relieve injustice, and still keep an open mind to every disconcerting fact or an open ear to the cold voice of doubt."[64] Mr. Justice Black was a committed man. If one liked his cause, well and good, except for conscience and the haunting thought that, but for chance piled on chance, there sat a different champion with a less congenial cause. It comes at last to this: Senators Sutherland and Black could be voted out of office, Justices Sutherland and Black (and their causes) could not.

Mr. Justice Black's votes were highly predictable in terms that have little to do with law.[65] His background may provide a clue. He was born in 1886 in rural Alabama, "a poverty-stricken and ignorant land" too barren even to afford extensive Negro labor.[66] This "poor white" country, torn by Populist upheaval, must have been his most impressing school. He "drew from the agitation in [his native] Clay County strong sympathy based on the most intimate acquaintance with the very poor, and he became absolutely saturated with the essential conception of the Populist philosophy . . . ," namely, that government should be used actively and aggressively to help the underdog. Later, as a young police-court judge and then as prosecutor in Birmingham, he saw what the "law" (the petty officialdom of jailers, bondsmen, police, and the like) means to the poor and the ignorant. And he did a great deal to protect them from it.

Thereafter, in private practice, he represented labor unions and

[63] See note 67, below, and related text. Mr. Justice Sutherland's devices—dual federalism, substantive due process, liberty of contract, etc.—were the instruments of another, quite different "philosophic" outlook.

[64] Hand, 138.

[65] Recent "surprises" mar the virtually perfect libertarian pattern of the Justice's words and votes. See, for example, *Bell* v. *Maryland*, 378 U.S. 226 (1964); *Hamm* v. *Rock Hill*, 379 U.S. 306 (1964); *Griswold* v. *Connecticut*; *Brown* v. *Louisiana*, 86 Sup. Ct. 719 (1966); *South Carolina* v. *Katzenbach*, 86 Sup. Ct. 803 (1966); *Harper* v. *Virginia Board of Elections*; *Fortson* v. *Morris*, 87 S. Ct. 446 (1967).

[66] Here I have drawn heavily upon John P. Frank, *Mr. Justice Black* (New York, 1948), chaps. 1, 2.

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many personal injury victims, not a few of whom were injured workmen. This meant of course that he would have few major business clients. The shoe indeed was more apt to be on the other foot. He was fabulously successful in getting large jury awards—often so large that they were in danger of being reduced *by judicial intervention.*

Finally, when he entered politics as a Populist-inspired representative of the "little man," he could hardly fail to feel the pressures that the comfortable classes impose upon "agitators." Small wonder, then, if Mr. Justice Black should have had special concern for free utterance, jury trial, the one-man-one-vote principle, and the rights of the accused. Small wonder, too, that he should have had some doubts about laissez faire and "natural law."

If Hugo Black's heart seemed as big as the world, that may be because he knew the "short and simple annals of the poor" and the wrongs that feed on poverty. If he seemed more concerned with "justice" than with law, perhaps he remembered the old Populist teaching that law favors the fortunate. In any event, as his much-admiring biographer and former law clerk saw it a few years ago:

> In deciding cases Black is frequently a sentimentalist about people. A vivid and dramatic imagination fills in details that may or may not exist. If a case involves an injured veteran, for example, Black sees the veteran, and his family, and his children. If it should be an injured railroad worker, the man becomes as real to Black on an abstract record as if Black himself were making the address to the jury. In these and in the farmer foreclosure cases . . . Black's sympathies are so completely and automatically enlisted for the unfortunate that he is very nearly as much of a pleader as a judge. . . .
>
> He is a representative of that movement in American history which we have variously called the Grange, the Populists, the New Freedom, and the New Deal. . . . His significance as a Justice is that he knows what to do with the power thus given him.[67]

Using that power, Mr. Justice Black has seemed so unhampered by "rules"—so inspired by *ad hoc* or cadi justice—that one might have found him a dedicated practitioner of "American legal real-

[67] *Ibid.*, 134, 139.

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ism."[68] A practitioner, that is, who found the unenlightened not yet prepared for "realism," and so spared their sensibilities by elaborate "legal" fictions.[69]

Realism-cum-fiction is not, of course, the only way to describe Mr. Justice Black's earlier approach. Professor Reich, speaking no doubt for a host of the judge's admirers, explained it more agreeably. Courts have the duty to enforce the Constitution and "to give it meaning in new settings as society changes. . . ." At least with respect to the Bill of Rights, "the framers' original balance of . . . power and . . . liberty cannot be disturbed unless the Constitution itself is amended." Consistency must be achieved through change. "There is no such thing as a constitutional provision with a static meaning."

> Does Black's concept of a dynamic Constitution square with the accepted notion of law? It can well be answered that no other concept is capable of maintaining the rule of law. . . .
>
> To obey the law, to preserve it in any true sense, surely can mean nothing less than to keep its spirit functioning. . . . This requires a Court that sees, understands, and creates—and then actively enforces the law in its current setting. . . . Only when given life by [an activist] Court can the law "rule."[70]

The "new" Mr. Justice Black dissents! Referring apparently to some of his ardent apologists, he rejects both judicial activism and legal realism:

> I realize that many good and able men have eloquently spoken and written, sometimes in rhapsodical strains, about the duty of this

[68] See E. Bodenheimer, *Jurisprudence* (Cambridge, Mass., 1962), 116 ff.

[69] So vulnerable are some of his devices that his greatest admirers on occasion find it necessary to offer "explanations." Professor Charles Black, for example, suggests that the Justice is too "long headed" to mean "absolute" when he says "absolute" in relation to the Bill of Rights. Talk of absolutes, it seems, is merely a device to stimulate a healthy attitude in judges when they exercise their inevitable balancing function. "Mr. Justice Black, the Supreme Court, and the Bill of Rights," *Harper's*, Feb. 1961, pp. 63 ff. After an elaborate and quite different "explanation" another all-out sympathizer concludes: "In its simplicity, the concept of 'absolutes' is perhaps an unsophisticated one. . . ." Reich, 744. Still another—who claims to have explored the history of the Fourteenth Amendment as thoroughly as anyone—admits privately that the *Adamson* incorporation theory is untenable. Yet he defends it and its author as being "closer" than *Palko* to the framers' intention.

[70] Reich, 703, 735, 752-53.

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> Court to keep the Constitution in tune with the times. The idea is that the Constitution must be changed from time to time and that this Court is charged with a duty to make those changes. For myself, I must with all deference reject that philosophy. The Constitution makers knew the need for change and provided for it. Amendments suggested by the people's representatives can be submitted to the people or their selected agents for ratification. That method of change was good enough for our Fathers, and being somewhat old-fashioned, I must add it is good enough for me.[71]

Putting it more bluntly on a later occasion, he observed:

> The Court's justification for consulting its own notions rather than following the original meaning of the Constitution, as I would, apparently is based on the belief . . . that for this Court to be bound by the original meaning of the Constitution is an intolerable and debilitating evil; . . . and that to save the country from the original Constitution the Court must have constant power to renew it and keep it abreast with this Court's more enlightened theories of what is best for our society.[72]

An old proverb holds that the law is a jealous mistress—a beguiling Lorelei, one might add, who tempts each of us to find his own image in her bosom. No one escapes entirely. Some yield blindly, some with sophistication. A few more or less effectively resist. Mr. Justice Black, it would seem, until recently had so completely identified himself with his lady the law that he was unaware of the very thing his admirers once found most admirable, his creativity, his restructuring of the Constitution. In his view apparently he had merely followed the "plain meaning" of the "written" law; to do otherwise would be to indulge in "natural law" and judicial legislation.[73]

[71] *Griswold* v. *Connecticut*, 522. See Mr. Justice Roberts' famous squaring analogy in *United States* v. *Butler*, 62-63, and T. R. Powell's comment in *Vagaries and Varieties in Constitutional Interpretation* (New York, 1956), 43: "Try as I will, I cannot bring myself to admire both the candor and the capacity of the men who write such things to be forever embalmed in the official law reports. They must lack one or the other, or I must suffer from some such serious lack in me."

[72] *Harper* v. *Virginia Board of Elections*, 677.

[73] For a classic example of Mr. Justice Black's technique of overruling past decisions while purporting not to do so, see *Gideon* v. *Wainwright*, 372 U.S.

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Here, then, was a man—creative, bold, courteous, compassionate—pursuing always a great ideal, government by law and not by men (his reaction to the abuses of the "old Court"?).[74] Yet he wanted other things, too, kindly and humane things not immediately forthcoming from the legislative process. He was indeed an aggressive social reformer (his inheritance from the old days in impoverished, Populist-torn, Alabama?). But the ways of the activist reformer were not compatible with his "old fashioned" ideal, the rule of law—entailing as it does detachment in judges and more than heart's desire in their edicts.[75] If Mr. Justice Black seemed to practice, he could not accept in principle, the "realist" view that law is anything a judge may boldly assert and plausibly maintain. He knew what some of his most ardent apologists seemed unable to grasp: if law is indeed a myth, there is no democratic justification whatsoever for a non-elected super-legislature that pretends to be a court.

Addendum

The above was conceived and for the most part written some years ago, when so accomplished a scholar as Professor Reich *inter alios* could still treat (and honor) Mr. Justice Black as a thoroughgoing libertarian activist.[76] Meanwhile there seems to have been a sea-change in the thrust of the judge's votes. This is reflected, for example, in the annual surveys of the Commission on Law and Social Action.[77] For years prior to 1963 Mr. Justice Black's "score" in favor of civil liberty was second only to that of Mr. Justice Douglas. In the 1963 and 1964 Terms he dropped to third place; in the two following Terms he fell to fifth place.

335 (1963); see also J. H. Israel, "*Gideon* v. *Wainwright:* The 'Art' of Overruling," *Supreme Court Review* (1963), 211.

[74] In *Kingsley International Pictures Corp.* v. *Regents of NYU*, 360 U.S. 684, 691 (1959), the Justice speaks of "the rule of law which our Constitution envisages." Elsewhere he tells us that "flexible" legal standards are not standards, they are "mush." See his "Public Interview," *New York University Law Review*, XXXVII (1962), 562.

[75] This ambivalence may be the seedbed of the difficulties that some of Mr. Justice Black's champions feel so compelled to "explain."

[76] Reich, *passim*.

[77] These surveys are issued annually in mimeograph form by the American Jewish Congress.

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The 1967 Term found him in the seventh position. By the end of the latest 1968 Term he had fallen to place nine.

Comes now Professor Howard—like Mr. Reich an admiring former law clerk—suggesting that the Justice has never been an activist, that his recent stance is not a departure from, but a continuation of, a long time dedication to the rule of law.[78] In my view Mr. Howard's analysis is quite compatible with the judge's words—just as Mr. Reich's view is quite compatible with the judge's votes (prior to the early nineteen-sixties). Paul Freund no doubt is right in finding the *Griswold* dissent implicit in the *Adamson* dissent.[79] Yet surely, as suggested above, *Griswold* was hardly Mr. Justice Black's first opportunity for implementing his *Adamson* strictures had he seen fit to do so before 1965.

Mr. Howard, and indeed the Justice himself, quite properly insist that Hugo Black did, and does, believe deeply in the rule of law (however naive that may seem to many of the judge's most activist erstwhile followers). Yet surely in recent years Mr. Justice Black has not been as imaginative as he once was in discovering the "plain meaning" of the "written" law. Explanations for the change must await another day. In the meantime, these speculations: Is it mere coincidence that the seeming switch coincides with the departure of Mr. Justice Frankfurter, the apparent crisis in long smoldering relations between Justices Black and Douglas, and the advent of the "new" extreme activism of Mr. Justice Goldberg?

[78] A. E. D. Howard, "Mr. Justice Black: The Negro Protest Movement and the Rule of Law," *Virginia Law Review*, LIII (1967), 1030-1090.

[79] See Freund, "Mr. Justice Black and the Judicial Function," *U.C.L.A. Law Review*, XIV (1967), 467.

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Marxist Theory and Bolshevik Policy: The Case of Bukharin's *Historical Materialism**

It would be strange if Marxist theory eternally stood still.
Bukharin

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The Soviet twenties—the years between the introduction of the New Economic Policy in 1921 and the coming of Stalin's revolution from above in 1929—were a conspicuously rich and diverse decade of intellectual ferment. In philosophy, literature, economics, and other fields, wide-ranging theoretical controversies, related and unrelated to the great programmatic debates then underway within the party leadership, made this the most vital period in the history of Bolshevik thought and among the most interesting in the history of Marxism.

Students of the era have naturally searched for patterns in the diversity, but often by positing dubious relationships between rival viewpoints in the various areas of intellectual controversy and political factions in the party. At its least persuasive, this approach has meant defining the equivalent to a left and right wing in each discussion, no matter how non-political the topic. In the same vein, efforts have been made to establish a rigid explanatory correlation between an individual Bolshevik's interpretation of Marxism—his social or philosophical theory—and his politics. Always a difficult undertaking, it has been especially misleading

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in the case of Nikolai I. Bukharin, a major party leader, official theorist of Bolshevism in the twenties, and head of the Right opposition to Stalin in 1928-29.

A widely circulated view maintains that the cautious, evolutionary political and economic policies advocated by Bukharin in the twenties, which set him against the Bolshevik Left and later against Stalin, may be explained largely by his mechanistic understanding of Marxist dialectics and his companion theory of equilibrium. His Marxism, it is argued, was sternly deterministic, emphasizing the hegemony of objective conditions over the interventionist capabilities of man. This orientation is contrasted to the voluntarism embedded in the Left's programs of the twenties and subsequently in Stalin's "great change" of 1929-33. Political and economic voluntarism are seen as being intimately related to the anti-mechanistic school in Soviet philosophy centered around Abram Deborin, which unlike the mechanists (who disliked the Deborinist formulation of the proposition and its transcendent implications) argued that dialectics implied self-movement of matter and leaps from quantity to quality. Where Bukharin is involved, this view represents a rare instance of agreement between Western and Soviet writers. The latter also insisted, beginning with Bukharin's fall in 1929 when an official *post facto* campaign was launched to associate defeated political factions with disfavored philosophical schools, that Bukharin's "right-wing" program was the logical outcome of his mechanism. In fact the basic sources and inspiration of the Western interpretation were Stalinist critics of Bukharin.[1]

Of the several difficulties with this argument, the most troublesome is the most obvious: Bukharin's famous *Historical Materialism*,[2] the systematic exposition of his social theory, appeared in

[1] The major Western statement is Raymond A. Bauer, *The New Man in Soviet Psychology* (Cambridge, 1952), chap. 2. Similarly, see Gustav A. Wetter, *Dialectical Materialism* (New York, 1958), 143-49. For examples of the Soviet argument, see I. Luppol, "K voprosu o teoreticheskikh korniakh pravogo uklona," *Bol'shevik*, No. 18, 1929, 11-25, and B. Gessen and I. Podvolotskii, "Filosofskie korni pravogo opportunizma," *Pod znamenem marksizma*, No. 9, 1929, 1-29.

[2] *Teoriia istoricheskogo materializma: populiarnyi uchebnik marksistskoi sotsiologii* (Moscow, 1921). Unless otherwise indicated, all references are to the

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the autumn of 1921, only months after the end of war communism, a set of extremist domestic policies which had elicited his enthusiasm since their initiation in 1918. Moreover, its writing coincided with the writing of his *The Economics of the Transition Period*, a theoretical justification of the voluntarism of war communism published in 1920.[3] Overlooked is the fact that both *The Economics* and *Historical Materialism* contained Bukharin's celebrated mechanism and equilibrium theory, even though the former volume exuded a cataclysmic ethos, the latter an evolutionary one.

As this suggests, the argument has rested less on the substance of Bukharin's social theory than on two false assumptions. First is that there were "consciously formed connections" between the mechanist philosophers and the right wing in the party. This "legend" has recently been disproved and the opposite shown to have been the case: there was "a widespread, conscious effort to keep the philosophical discussions separate from the Party factional quarrels," and specifically "to keep Bukharin out of the philosophical controversy."[4] Second is the assumption that Bolsheviks (or Marxists generally) who shared one theoretical position would likely agree on other issues, a misconception which ignores the diversity of Marxist thought, the intellectual heterogeneity of pre-Stalinist Bolshevism, and in this instance the maverick, contentious quality of Bukharin's *Historical Materialism*. The book contained something to please and displease almost everyone. Both Soviet and Western Marxists gave it a widely mixed reception; but Bukharin's least friendly Bolshevik critic was a fellow mechanist, who found much in the book that was "un-Marxist" and "undialectical." To confound the matter further, Bukharin and his critic accused each other of "determinism."[5]

English translation, *Historical Materialism: A System of Marxist Sociology* (New York, 1925).

[3] *Ekonomika perekhodnogo perioda: obshchaia teoriia transformatsionnogo protsessa* (Moscow, 1920).

[4] David Joravsky, *Soviet Marxism and Natural Science: 1917-1932* (New York, 1961), 48, 54, 56, and chap. 3.

[5] See V. Sarab'ianov's review in *Pod znamenem marksizma*, No. 3, 1922,

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Before the unanimity imposed by Stalinism, agreement among Bolsheviks on one theoretical issue did not insure affinity elsewhere, in theory or politics. Many examples could be given, but suffice it to note that while Trotsky, avatar of the Left, rarely expressed himself on philosophical questions, when he did, it was as a mechanist. And that, like his arch-foe Bukharin, Evgenii Preobrazhensky, the foremost economist of the Left, employed the equilibrium model in analyzing capitalist and Soviet economics.[6] In short, one does best to heed the 1909 lament of a party leader that no two Bolshevik philosophers could agree.[7]

None of which is to say that Bukharin's social theory was wholly unrelated to his political and economic policies. Rather it is to point out that in addition to misrepresenting the origins and nature of his programmatic gradualism—a subject that does not concern us here—the simplistic understanding of the relationship between his social theory and his policies obscures what was truly interesting about his *Historical Materialism*, a book on which young Bolshevik intellectuals were educated in the twenties and which in translation was widely read outside Soviet Russia.[8]

I

Although *Historical Materialism* originated as a textbook—there being "no systematic exposition of this 'basic of basics' of Marxist theory"—it was designed to break fresh theoretical ground. Aware that presenting new ideas in the form of semi-official pedagogy would provoke the "conservatism" of his party critics, Bukharin opened with the assurance that, while he intended to "depart from the usual treatment of the subject," he remained faithful to "the tradition of the most orthodox, material-

62-76, and Bukharin, "Po skuchnoi doroge (otvet moim kritikam)," *Krasnaia nov'*, No. 1, 1923, 275-89.

[6] For Trotsky, see Joravsky, 97-100. For Preobrazhensky, see his "Problema khoziaistvennogo ravnovesiia pri konkretnom kapitalizme i v sovetskoi sisteme," *Vestnik kommunisticheskoi akademii*, Book XVII, 1926, 35-76, Book XVIII, 1926, 63-84.

[7] Aleksei Rykov, quoted in Joravsky, 40.

[8] It and *The ABC of Communism*, written with Preobrazhensky in 1919, were largely responsible for Bukharin's initial fame outside Soviet Russia.

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ist, and revolutionary understanding of Marx." He wanted to systematize and make more precise a variety of Marxist tenets, but also to introduce "innovations."[9] Most of his reformulations and innovations were responses to contemporary social theorists critical of Marx. *Historical Materialism* was an extended intellectual counterpunch, and in this sense it formed an important chapter in Bukharin's lifelong project, begun in emigration in 1912, to answer Marx's critics.[10] As was his custom, in answering the challengers he borrowed from them.

It is curious that a rigid economic determinism should have been attributed to *Historical Materialism*, because Bukharin went to great lengths to exorcise this allegation and the notion of monistic causality from Marxism. An astute non-Marxist reviewer rightly observed that Bukharin strained toward monism but approached pluralism.[11] Indeterminism, historical teleology, and inexplicable accidents are rejected; but the book is studded with examples of the "if" in history, of instances where different historical developments are possible depending on a variety of factors, and of the multi-causal nature of change in general. "Social determinism" is not fatalism; it is "the doctrine that all social phenomena are conditioned, have causes from which they necessarily flow. . . ." Bukharin's Marxism, for example, "does not deny" human will or the superstructure; "it explains them."[12]

His pluralistic approach is most evident in the section on the superstructure, which Bukharin sees as "the widest possible" category—"as meaning any type of social phenomenon erected on the economic base." It is a complex, differentiated conception, including, in addition to the "social political order, with all its material parts," social psychology and ideology. The base defines and explains these phenomena, but, Bukharin points out, they have a

[9] *Teoriia istoricheskogo materializma* (Moscow-Petrograd, 1923), 5-6; Bukharin, "K postanovke problem teorii istoricheskogo materializma (beglye zametki)," in N. Bukharin, *Ataka: sbornik teoreticheskikh statei* (2d. ed.; Moscow, 1924), 115-16.

[10] The opening chapter was a critique of Austrian marginalism written in Vienna during 1912-14 and published in translation as *The Economic Theory of the Leisure Class* (New York, 1927).

[11] See Pitirim Sorokin's review in *Ekonomist*, No. 3, 1922, 148.

[12] *Historical Materialism*, chap. 1-2, 6, and 76-79, 226, 268.

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life and dynamics of their own as well, particularly during the "long" transition from one social structure to another, when there is "the process of a reversed influence of the superstructure. . . ."[13] It was hardly possible to argue otherwise given the Soviet experience since 1917.

But Bukharin was equally aware that superstructural phenomena play a functional role in existing societies and in bringing about social change. He wanted to meet the challenge of psychologically-oriented schools of economics and sociology, to show that Marxism takes less tangible factors into account. While rejecting Robinson Crusoe concepts then popular in the West, he acknowledged the major importance of psychology, ideologies, morality, and customs. They hold society together: they "coordinate men's actions and keep them within certain bounds, thus preventing society from disintegrating." And just as they are an adhesive force at one time, so does the displacement of the prevailing psychology and ideology—the "mental revolution"—mark the first stage in the collapse of the old social order. In short, Bukharin offered a variegated conception of causality: "*a constant process of mutual cause and effect is in operation between the various categories of social phenomena.* Cause and effect change place."[14]

Bukharin's treatment of the diverse components of the superstructure proved to be among his most influential contributions. Apart from enhancing the role of the superstructure vis-à-vis the base, a proposition many Bolsheviks naturally welcomed, his formulations on science, philosophy, psychology, and the "accumulation" and "materialization" of culture were considered highly successful. Also satisfying and popular, for obvious reasons, was his treatment of class, party, and leaders, which gave positive theoretical expression to the important role of the latter two.[15] More than any other single work, *Historical Materialism* established Bukharin, in Lenin's words, as the party's "biggest theo-

[13] *Ibid.*, 207-08, 264; also *Krasnaia nov'*, No. 1, 1923, 287-88.

[14] *Historical Materialism*, 169, 227, 228, 256; also *Ekonomika perekhodnogo perioda*, 62.

[15] *Historical Materialism*, chap. 8. Bukharin enumerated what he thought were his successful innovations in *Ataka*, 115-27.

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retician" and probably the foremost Soviet systematizer of Marxism in the twenties.[16] His most original contribution, however, lay elsewhere.

II

Since the eighteen-nineties the most formidable intellectual challenge to Marxism had come from the foundling schools of modern sociology. The thrust of sociology then, unlike its narrower and more empirical direction later, was toward broad social theorizing. Like Marxism, it was theory on a grand, often historical, scale, and it, too, viewed itself as science. Major figures of the new science —Durkheim, Pareto, Croce, Weber, Michels, to name a few—varied in their critical responses to Marxism; but each in his own way had to confront this imposing body of thought. Marx had posed central questions about society, and he had developed important analytical concepts. His conclusions could be dismissed, as could the remnants of German philosophy embedded in his thinking, but he could not be ignored. Said Pareto: "There is in Marx a sociological part, which is superior to the other parts and is very often in accord with reality."[17] Marx's contribution to sociology is now acknowledged, his reputation as a sociologist having become more commanding in some quarters than that as an economist or prophet.[18] But his impact on the early theorists needs to be stressed. As H. Stuart Hughes has written, "The study of Marxism . . . offered them a kind of proving-

[16] V. I. Lenin, *Polnoe sobranie sochinenii*, XLV (5th ed.; Moscow, 1964), 345, though Lenin doubted whether Bukharin "fully understood dialectics." See also the treatment of Bukharin as a theorist in V. Polonskii, *Ocherkii literaturnogo dvizheniia revoliutsionnoi epokhi* (2d. ed.; Moscow-Leningrad, 1929), chap. 8.

[17] Quoted in H. Stuart Hughes, *Consciousness and Society: The Reconstruction of European Social Thought, 1890-1930* (New York, 1961), 79. In addition to Hughes (chaps. 3, 8), for the impact of Marxism on early sociological thought, see T. B. Bottomore and Maximilien Rubel (eds.), *Karl Marx: Selected Writings in Sociology and Social Philosophy* (New York, 1964), 29-48.

[18] In addition to note 17, for discussions of Marx as a sociologist, see T. B. Bottomore, "Karl Marx, Sociologist or Marxist?" *Science and Society*, XXX (1966), 11-24; Ralf Dahrendorf, *Class and Class Conflict in Industrial Society* (Stanford, 1966), part I; and Raymond Aron, *Main Currents in Sociological Thought*, I (Garden City, N.Y., 1968), 145-236.

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ground. . . ." Marx's work was "the midwife of twentieth-century social thought."[19]

The new sociology had a profound impact on Bukharin, who, unlike many Bolshevik leaders, was in every respect a twentieth-century intellectual. (He was born in 1888.) It was evident in his émigré writings before 1917 and in much of his subsequent theoretical work.[20] He recognized that contemporary scientific theories of society, many of which were formulated as critiques of Marxism, threatened to revise Marxism as social science and, presumably, to emasculate it as *Weltanschauung*. But he also appreciated their achievements. Contrary to later Soviet practice Bukharin did not simply dismiss sociological thought; instead he tried to meet it on its own ground. For him historical materialism was sociology. In his book, the Russian edition of which was subtitled *A Popular Textbook of Marxist Sociology*,[21] he set out his understanding of the proposition:

> Among the social sciences there are two important branches which consider not a single field of social life, but the entire social life in all its fullness. . . . One of these sciences is history; the other is sociology. . . . History investigates and describes how the current of social life flowed at a certain time and in a certain place. . . . Sociology takes up the answer to general questions, such as: What is the relation of the various groups of social phenomena (economic, legal, scientific, etc.) with each other; how is their evolution to be explained; what are the historical forms of society . . . etc.? Sociology is the most general (abstract) of the social sciences. . . . History furnishes the material for drawing sociological conclusions and making sociological generalizations. . . . Sociology in its turn formulates . . . a *method* for history.

Thus historical materialism "is not political economy, nor is it history; it is the general theory of society and the laws of its evolution, i.e. sociology."[22]

[19] *Consciousness and Society*, 74.

[20] Suffice it to point out that in Bukharin's opinion Max Weber was the "most outstanding" of all non-Marxist social scientists. "Uchenie Marksa i ego istoricheskoe znachenie," in *Pamiati Karla Marksa: sbornik statei k piatidesiatiletiiu so dnia smerti, 1883-1933* (Moscow, 1933), 54 n. 3.

[21] In the English translation, *Historical Materialism: A System of Marxist Sociology*.

[22] *Ibid.*, xii-xv.

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Bukharin believed (or said he believed) that all "social sciences have a *class* character" and that "proletarian sociology" therefore would be superior by definition. Bourgeois thinkers were limited by their class orientation. While they saw social interrelationships, they failed to emphasize society's contradictions. Still he regarded the entire school of "bourgeois sociology" as "very interesting." *Historical Materialism,* largely a tribute to its influence on him, presented Bukharin locked in combat with its criticisms and striving to express orthodox Marxist tenets in sociological terms.[23]

He was not, of course, the first Marxist to promote the sociological component in Marxism. A pronounced movement in this direction and away from Marx's lingering metaphysics having been underway in Europe for more than two decades, several schools of Marxist sociology were already in existence by the time Bukharin's *Historical Materialism* appeared. The tradition was particularly strong in Vienna, as represented by the work of Max Adler and Karl Renner, where "Marx was discovered to have been primarily a sociologist—indeed the founder of modern scientific sociology,"[24] and where Bukharin had lived and studied in 1912-14. In addition, nineteenth-century Russian radical thought, in its *narodnik* and Marxist manifestations, boasted a long history of sociological theory. Even though the sociology associated with political movements dominated the scene, by 1917 academic sociology had established itself in the major universities of Tsarist Russia.[25]

Despite these formidable credentials contemporary sociology did not fare well among Lenin's Bolsheviks. Interestingly, Lenin's 1899 study *The Development of Capitalism in Russia* was not

[23] *Ibid.*, x-xii, 240; see, for example, his effort to answer the elite theories of Michels and Pareto, 309-11.

[24] Bottomore and Rubel (eds.), *Karl Marx,* 39-45; George Lichtheim, *Marxism: An Historical and Critical Survey* (New York, 1962), 305.

[25] The history of Russian and Soviet sociological ideas remains to be written. Among the existing and largely inadequate studies are Pitirim Sorokin, "Russian Sociology in the Twentieth Century," *American Sociological Society: Papers and Proceedings,* XXI (1926), 57-69, and Alex Simirenko (ed.), *Soviet Sociology: Historical Antecedents and Current Appraisals* (Chicago, 1966), 13-37.

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without sociological value, and he himself had argued in 1894 that Marxism "first made a 'scientific' sociology possible."[26] But a bitter 1908-09 philosophical battle with the Bolshevik philosopher Aleksandr Bogdanov, who in his eyes had revised Marxism precisely by mixing it with bourgeois ideas, seems to have permanently prejudiced Lenin against all Western social theory. From that time onward sociology (now always written in inverted commas) received only his derision. Criticizing a theoretical article by Bukharin in 1916, he singled out for special abuse the notion of a " 'sociological' (???)" theory. He was even more hostile to sociological terminology by 1920, as was shown by his caustic comments on *The Economics*.[27] Although no reference to *Historical Materialism* appears in Lenin's published writings, we may be fairly certain that his objections began with the subtitle.

Not all Bolshevik intellectuals shared Lenin's disdain for sociology, though neither did they always agree with Bukharin's understanding of its role. Many preferred it to the argument that dialectical materialism was basically philosophy, a view held by the Deborinists and opposed by mechanists, who believed that positive science had virtually eliminated the need for philosophy. And while non-Marxist sociology was excluded from Soviet universities in 1922, Bolshevik sociologists continued to publish serious theoretical and empirical work until the early thirties, when sociology suffered the fate of most social science under Stalin.[28] Even during the twenties, however, suspicion if not outright hostility to contemporary sociology appears to have been predominant among party intellectuals. Bukharin's designation of historical materialism as sociology was itself sufficient to outrage his early Bolshevik critics,[29] many of whom undoubtably agreed with the

[26] V. I. Lenin, *Sochineniia*, I (3d. ed.; Moscow-Leningrad, 1926), 62.

[27] *Polnoe sobranie sochinenii*, XLIX (5th ed.; Moscow, 1964), 49; *Leninskii sbornik*, XI (Moscow-Leningrad, 1929), 355-56, 359-61, 369, 371-72, 385, 387, 400-01. For Lenin, Bogdanov, and the controversy over the latter's attempt to synthesize Marxism and the empirio-criticism of Mach and Avenarius, see Bertram Wolfe, *Three Who Made a Revolution* (Boston, 1955), chap. xxix.

[28] Simirenko, 19; also see the discussion in *Istorik marksist*, II, 1929, 189-213.

[29] See, for example, *Pod znamenem marksizma*, No. 3, 1922, 62-63, and No. 11-12, 1922, 172-73. Bukharin complained of people who "imagine that the the-

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verdict issued during the anti-Bukharin campaign in 1930 that

> Marx of course did not have a special "sociological method." . . . Marx's method was the method of dialectical materialism. . . . The representation of Marx as an advocate of a "sociological method" can only lead to a *rapprochement* of his teaching with the teaching of bourgeois "sociologists," which has nothing in common with Marxism.[30]

This was to be a constant refrain in Stalinist ideology, and only after the dictator's death were Soviet scholars again able to formulate a sociology. Against this background Bukharin's attempt to develop a Marxist sociology takes on a unique boldness of conception and inquiry. He was referred to in the twenties by one Soviet writer as the "theoretician of proletarian sociology." And it is revealing that a reasonably friendly review of *Historical Materialism* came from Pitirim Sorokin, then living in Russia, who wrote that compared to other Bolshevik works it was "far more literate, interesting, and scientific."[31] An American sociologist has recently confirmed Sorokin's appraisal: "It represents the one sophisticated effort by a major Marxist to come to terms with the emerging body of sociological theory and research."[32]

III

Of the various ways that contemporary sociology challenged Marxism as science, the most generally troublesome for Marxists involved the question of dialectics. Whether as method or as supposed presence in reality, the dialectical concept was deeply rooted in Marxist teaching about the nature and direction of social change. Its lingering Hegelianism made Marxism vulnerable.

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ory of historical materialism should under no circumstances be considered a Marxian sociology. . . ." *Historical Materialism*, xiv-xv.

[30] *Kommunisticheskaia revoliutsiia*, No. 2, 1930, 20.

[31] Polonskii, *Ocherkii literaturnogo dvizheniia*, 178. For Sorokin, see *Ekonomist*, No. 3, 1922, 148. He later changed his mind, dismissing the book in 1928 as "conspicuous only by its ignorance and arrogant pretensions." See his *Contemporary Sociological Theories* (New York, 1928), 546 n. 65.

[32] See Seymour Martin Lipset's introduction to Robert Michels, *Political Parties* (New York, 1962), 27 n. 22.

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Moreover, the meaning of Marxist dialectics remained unclear. Marx, convinced that he had rendered dialectics consistently materialist, wrote little on the subject, confining himself to its application to history. It fell to Engels, late in Marx's life and after his death, to extend and systematize an understanding of the dialectic in history, nature, and human thought. In doing so he laid the groundwork for an orthodox, universalistic doctrine of dialectical materialism. While several scholars have argued that Engels' finished system represented a sharp break with Marx's own philosophical materialism, it is agreed that in the end Engels' writings served to resurrect Hegel's idealist dialectics in a revised form, and to encumber Marxism with a vaguely metaphysical explanation of movement—a semi-mystical unfolding of the dialectic in history and in nature. The reborn Hegelianism strongly influenced Lenin's thinking about dialectics (as became clear when his *Philosophical Notebooks* were published in 1933) and became a central element in the dialectical materialism of the Deborinists.[33]

Bukharin turned his back on this tendency. He stated his objections frankly: "Marx and Engels liberated the dialectic from its mystical husk in *action* . . . ," but it retains "the teleological flavor inevitably connected with the Hegelian formulation, which rests on the self-movement of 'Spirit.' " Bukharin's quest for a scientific ("radically materialist") sociology, his desire to counter the charge that Marxism embodied an ultimate idealism, led him instead to mechanism. Previously, he explained, Marxists had opposed mechanistic explanations in the social sciences, but this had derived from the old and discredited conception of the atom as "a detached isolated particle." The electron theory, with its new findings on the structure and movement of matter, disproved this and validated the language of mechanics as a means of expressing organic connections. Whether or not Bukharin fully understood modern physics is less important than his belief that the

[33] The fullest examination of the differences between Marx and Engels and subsequent developments is Z. A. Jordan, *The Evolution of Dialectical Materialism* (New York, 1967). For Lenin, see his *Filosofskie tetradi* (Moscow, 1933); for Deborin, see Rene Ahlberg, "The Forgotten Philosopher: Abram Deborin," in Leopold Labedz (ed.), *Revisionism: Essays on the History of Marxist Ideas* (New York, 1962), chap. ix.

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"most advanced tendencies of scientific thought in all fields accept this point of view."[34]

Mechanics, it seemed to him, demonstrated the scientific basis of Marxist materialism, and mechanistic materialism refuted those thinkers who persisted in "spiritualizing" and "psychologizing" social concepts. Bukharin defined each social category with an eye to preserving the imagery: society is viewed "as a huge working mechanism, with many subdivisions of the divided social labor"; production relations are "the labor *coordination of people* (*seen as 'living machines'*) *in space and in time*"; and so on. All that remained was to give "theoretical-systematical exposition" of the dialectical method in mechanistic terms. "This," Bukharin believed, was "given by the theory of equilibrium."[35]

At the heart of *Historical Materialism* is his contention that dialectics and hence social change are explained by the equilibrium theory. His broad conception, not the multitude of sub-arguments he presents *inter alia*, concerns us here.[36] According to Bukharin, the dialectic (or dynamic) point of view is that all things, material and social, are in motion and that motion derives from internal conflict or contradiction. Equally true is that any system, again material or social, tends toward a state of equilibrium (analogous to adaptation in biology).

> In other words, the world consists of forces, acting in many ways, opposing each other. These forces are balanced for a moment in exceptional cases only. We then have a state of "rest," i.e. their actual "conflict" is concealed. But if we change only one of these forces, immediately the "internal contradictions" will be revealed, equilibrium will be disturbed, and if a new equilibrium is again established, it will be on a new basis, i.e. with a new combination of forces, etc. It follows that the "conflict," the "contradiction," i.e. the antagonism of forces acting in various directions, determines the motion of the system.

By locating the source of motion in the conflict of forces and not in "self-development," Bukharin believed that he had purged He-

[34] *Ataka*, 116, 118; *Historical Materialism*, 75.
[35] *Historical Materialism*, 217, 276; *Ataka*, 118, 121.
[36] The general argument is spread throughout several chapters, especially 3, 5, 6, 7.

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gel's triad—thesis, antithesis, synthesis—of its idealist elements. His corresponding formula is original equilibrium, disturbance of equilibrium, and re-establishment of equilibrium on a new basis.[37]

Every system, he continued, is involved in two states of equilibrium: internal and external. The first refers to the relationship between different components within a system, the second to the entire system in its relationship with its environment. In neither case is there ever an "absolute, unchanging equilibrium"; it is always "in flux"—a dynamic or moving equilibrium. The key to Bukharin's theory is the relationship between internal and external equilibrium: "the internal structure of the system . . . must change together with the relation existing between the system and its environment. The latter relation is the decisive factor . . . *the internal (structure) equilibrium is a quantity which depends on the external equilibrium (is a 'function' of this external equilibrium).*"[38]

Applied to society Bukharin's theory reads as follows: An existing society presumes "a certain equilibrium" between its three major social elements—things, persons, and ideas. This is internal equilibrium. But "society is unthinkable without its environment," which is nature. Society adapts itself to nature, strives toward equilibrium with it, by extracting energy from it. This is achieved through the process of social production. In the process of adaptation, society develops "an artificial system of organs," which Bukharin calls technology and which constitutes "a precise material indicator of the relation between the society and nature." It is by identifying social technology with productive forces ("the combination of the instruments of labor"), and by making the internal structure a function of the external equilibrium, that Bukharin is able, despite his pluralistic analysis of society, to preserve monistic causality in economic determinism. This he acknowledges: "the productive forces determine social development *because* they express the inter-relation between society . . . and its environment. . . . *And the inter-relation between environment and*

[37] *Historical Materialism*, 64, 72-75; *Ataka*, 117-18.
[38] *Historical Materialism*, 74, 78, 79, 239-41.

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system is the quantity which determines, in the last analysis, the movement of any system."[39]

This theoretical model conveys Bukharin's historical materialism; it systematizes social development. Social equilibrium is constantly being disturbed. It can move toward restoration in one of two ways: either by "a gradual adaptation of the various elements in the social whole (evolution)"; or by "violent upheaval (revolution)." As long as the envelope of social equilibrium, primarily the production relations as embodied in the classes directly participating in production, is sufficiently broad and durable, evolution occurs. In this way, for example, capitalism progressed through its several historical stages. But when the forces of production increase to a point where they come into conflict with "the fundamental web of these productive forces, i.e. property relations," revolution takes place. The "envelope is burst asunder." A new social equilibrium is established; "i.e., a new and durable envelope of production relations . . . capable of serving as an evolutionary form of the productive forces. . . ."[40]

IV

If this abstract theory is pregnant with logical programmatic implications, as Soviet writers suddenly discovered in 1929, it is not immediately evident. A standard charge against mechanism was that its understanding of motion precluded the transformation of quantity into quality and "leaps" in general. Here allegedly was the philosophical basis of political gradualism. Bukharin argued otherwise: "The transformation of quantity into quality is one of the fundamental laws in the motion of matter; it may be traced literally at every step both in nature and society." He even drew the same political conclusion as his critics: "the notion that nature permits of no such violent alterations is merely a reflection of the fear of such shifts in society. . . ."[41] Equally unconvincing is the claim that Bukharin's "naturalistic" materialism—so designated because of his emphasis on society's interaction with nature—could

[39] *Ibid.*, chaps. 5-6; *Ataka*, 119.
[40] *Historical Materialism*, 242-49, 261-62.
[41] *Ibid.*, 79-83.

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lead only to passive capitulation before objective conditions. This same "naturalism" was present in *The Economics*, where he had argued that internal and external equilibrium would be restored by willful force.[42]

When logic faltered, Soviet writers frequently tried to bolster their thesis by proving deviation by association. They pointed to the fact that Bogdanov, the most notorious of political deviationists, earlier had also rejected the Hegelian tradition of dialectics in favor of a mechanical equilibrium model.[43] They ignored, however, the definitive dissimilarities between Bukharin and Bogdanov's theories, as well as Bukharin's long history of theoretical and political opposition to Bogdanov. The interesting intellectual kinship between the two men is a separate issue, but the commonplace view that Bukharin was his disciple should not go unchallenged. Not only was there little of the elder thinker's influence apparent in *Historical Materialism*, but the book's long argument against "psychologized Marxism" as "a clear deviation from the *materialism* in sociology emphasized *con amore* by Marx" was aimed specifically at Bogdanov.[44]

It is more fruitful to recall that by the early nineteen-hundreds mechanical equilibrium models (especially dynamic ones) had spread from physics and biology to the social sciences, where they were widely accepted and employed. It seemed to be the last word in science; and then, as today, equilibrium theory was an important part of Western sociological and economic thought. Sorokin noted one relevant example in 1922: Bukharin's treatment of social equilibrium was similar in several ways to Pareto's presentation in the second volume of *Trattato di Sociologia generale*.[45] The "Bogdanovist terminology" which so offended Bukharin's critics was to a considerable extent the language of contemporary social theory, a fact which suggests the real, underlying similarity between Bukharin and Bogdanov. Both regarded Marxism as an open-ended body of thought, vulnerable and receptive to

[42] *Ekonomika perekhodnogo perioda*, 36, 44, 87-89, and chap. x.

[43] See, for example, M. Z. Selektor, *Dialekticheskii materializm i teoriia ravnovesiia* (Moscow-Leningrad, 1934).

[44] *Ataka*, 120.

[45] *Ekonomist*, No. 3, 1922, 146.

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new intellectual currents. Both believed it legitimate to refer to the work of non-Marxists. Bogdanov's declaration of 1908, "The tradition of Marx-Engels must be dear to us not in its letter but in its spirit," was echoed by Bukharin in the preface to *Historical Materialism*: "It would be strange if Marxist theory eternally stood still."[46]

V

Nonetheless, *Historical Materialism* can throw some light on Bukharin's subsequent thinking about Soviet society. His sociology—his interest in the dynamics of social evolution and how existing societies function—presented a different dimension of his mind, which until 1921 had seemed to be tuned mainly to disorder and revolutionary change. To put it another way, the dissimilar tempers of *The Economics* and *Historical Materialism*, an almost quietist tract by comparison, derived in part from the fact that they focused on different periods in society's life: the first portrayed a transitory state of revolutionary disequilibrium, the second the more usual state of equilibrated society. And it is here, in his discussion of equilibrated society, that Bukharin revealed an awareness that any stable, growing society must be a cohesively integrated aggregate, with at least a minimal harmony of its components.

Many radical Marxists, having dwelled too long on the apocalyptic vision in Marxism, tended to view pre-utopian society as little more than a battleground of irreconcilable forces and warring classes. Always searching for crises and omens of breakdown, they saw only a dysfunctional malformation. Usually, one sociologist observed, they "shunned and even ridiculed" bourgeois notions of social interaction and cooperation.[47] This image sustained revolutionary fervor; it did not advise social construction. As a Marxist, Bukharin naturally accented instances when social conflicts are in the foreground, but he also understood that elements of

[46] Bogdanov, quoted in Kendall E. Bailes, "Philosophy and Politics in Russian Social Democracy: Bogdanov, Lunacharsky and the Crisis of Bolshevism, 1908-1909" (unpublished Russian Institute essay, Columbia University, 1966), 86; *Teoriia istoricheskogo materializma* (1923 ed.), 6.

[47] Sorokin in *Ekonomist*, No. 3, 1922, 146.

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harmony and "moments of cooperation" normally prevail. He saw society as a real totality, and marveled at "how truly tremendous is the Babylonian confusion of influences and mutual interactions in social life." The very fact that society was an aggregate of conflicting forces suggested to him the importance of adhesive elements, of the "social bonds" and "rivets" that preserve the community. Nowhere was this clearer than in his picture of man's collective confrontation with nature: "It has taken man centuries of bitter struggle to place his iron bit in nature's mouth."[48]

This awareness of the prerequisites of a properly functioning society was to be reflected in Bukharin's thinking about domestic policy throughout the twenties. He believed that the Bolsheviks' initial task involved reconstructing the social fabric of a society torn and divided by revolution and civil war. Social integration meant "normalizing" Soviet authority and making it acceptable to as many segments of the population as possible. "Bridges" and "links," in the form of voluntary institutions, had to be built between the party-state and the masses, as well as among the atomized elements of the population itself. Beneath this emphasis on integration was Bukharin's basic assumption in the programmatic debates: that real growth, economic and otherwise, is predicated on civil peace, on cooperation and harmony; that a society at war against itself cannot be productive or prosperous. Hence his insistance, so characteristic of his policies, that all classes and strata in Soviet society could, consciously or unconsciously, contribute to the building of socialism. And hence his relentless opposition to those Bolsheviks whose programs promised discord and civil strife.

More difficult to assess is how the equilibrium theory itself conditioned Bukharin's way of looking at real social problems. The macro-sociological use of equilibrium in *Historical Materialism* must be distinguished from his advocacy of "dynamic economic equilibrium" during the planning controversy of the late twenties. This narrower (though related) argument spoke only of his belief in balanced or proportional economic development as opposed to the selective "leaps" and disproportions implicit in the

[48] See *Historical Materialism*, 86-87, 99, 104, 151, 209, 219, 255.

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first Five Year Plan.[49] That a growth model based on conditions of economic equilibrium can be derived from volume two of *Capital* was not a unique point of view. Occasionally it was even acknowledged obliquely by Bukharin's opponents.[50] What was more easily denounced as un-Marxist was Bukharin's extrapolation of this limited concept into a macro-sociological model, and his claim that "Marx already gives hint of such a formulation (the doctrine of equilibrium between the various branches of production, the theory of labor value based thereon. etc.)."[51]

This made his orthodoxy suspect from a number of perspectives. By giving a universal definition of society, and by applying the equilibrium model to all social formations, for example, he was open to the charge of having abandoned Marx's cherished historicism, which stressed the unique features and specific laws of different societies. Even though Bukharin insisted on the study of "*each form of society in its own peculiar terms*," he had acquired the sociological habit, which in his own words deals "not with the individual forms of society, but with society in general."[52] Furthermore, if the equilibrium model could be generalized, did this not imply the existence of a universal regulator or law operating in all societies? Bukharin only hinted at the answer in *Historical Materialism* when he spoke of "the expenditure of labor" as the law governing society's relations with nature; five years later, however, he formalized "the law of labor expenditure" as "the necessary condition of social equilibrium *in each and every kind of social-historical formation*."[53]

But the fundamental criticism of Bukharin's sociological theory and its practical implications was that equilibrium presupposes social harmony while orthodox Marxism proves the prevalence of

[49] See his "Zametki ekonomista," *Pravda*, Sept. 30, 1928.

[50] It was first conceptualized by the Austrian Marxist Rudolf Hilferding. See Rudolf Gil'ferding, *Finansovyi kapital: novieshaia faza v razvitii kapitalizma* (3d. ed.; Petersburg, 1918), chap. xvi, originally published in German in 1910. For a critic's tacit acknowledgment, see Selektor, *Dialekticheskii materializm*, chap. ix, especially 169-70.

[51] *Historical Materialism*, 75; also his reference to Marx's "extremely interesting" hints, *Ekonomika perekhodnogo perioda*, 129-30 n. 1.

[52] *Historical Materialism*, 69, 70; on page 233, however, he insists that "there is no such thing as society 'in general.'"

[53] *Ibid.*, 115; *Pravda*, July 3, 1926.

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social conflict. Soviet writers are not alone in having contrasted a Marxist conflict model to an equilibrium model of society. A parallel can be found in recent criticisms of the structural-functionalist school of sociology. Dissident Western sociologists have argued that (unlike Marxism) functionalism, with its homeostatic equilibrium concept, is unable to accommodate real endogenous change and therefore puts a premium on harmonious stability. They have further suggested that equilibrium implies a normative (conservative) orientation, which looks askance at conflict and regards disequilibrating elements as abnormal and pathological. One historian has even concluded that the "choice of an equilibrium model logically precludes a revolutionary ethic. . . ."[54] The association of political conservatism with equilibrium theory (even today a stable item in Soviet thought),[55] then, is not limited to Soviet Marxists.

Although he never seriously came to grips with it, Bukharin seems to have been aware of the paradox. He made a conscious effort to disclaim any notion of "perfect harmony," and a tinge of discomfort was discernible in his rejoinder to potential critics: "Examining a social system . . . from the point of view of equilibrium has nothing in common, of course, with *harmonia praestabilitata*, for it follows from the *fact* that this system exists and also from the *fact* that it develops." Development means that this is a "moving equilibrium, and not a static one."[56] Viewing equilibrium as a dynamic concept seemed to be fully compatible with the assumption that conflict and change are always present in society. Indeed, Bukharin believed that mechanics wedded to Marxism provided a powerful rebuttal to the biological organism model of society, which did represent disequilibrating elements as pathological.[57] Finally he saw no contradiction between revolutionary Marx-

[54] See, for example, Ralf Dahrendorf, "Out of Utopia: Toward a Reorientation of Sociological Analysis," *American Journal of Sociology*, LXIV (1958), 115-27; Bottomore, "Karl Marx, Sociologist or Marxist?" 11-13; and Lewis A. Coser, *The Functions of Social Conflict* (Glencoe, 1956), chap. 1. Cynthia Eagle Russett, *The Concept of Equilibrium in American Social Thought* (New Haven, 1966), 53.

[55] See, for example, V. S. Bruikov, *Marksizm i teoriia ravnovesiia* (Moscow, 1965).

[56] *Ekonomika perekhodnogo perioda*, 130; *Historical Materialism*, 240.

[57] *Historical Materialism*, 87-88; *Ataka*, 150.

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ism and the view that social harmony will prevail during certain historical periods, because in pre-Socialist societies restoration of equilibrium would always be temporary and progressively less secure. Increasingly severe instances of disequilibrium would ensue until revolution occurred. In other words, here the prevalence of harmony, and the presence of homeostasis, is historically limited; only communism could provide the conditions for an enduring social equilibrium.

Still it is questionable whether Bukharin's abstract theory really could account for endogenous change. In the last analysis, as reflected in his treatment of technology, he made internal equilibrium dependent on the interrelations between society and nature. The impetus of pervasive change was external to the system. By this and other standards, his "Marxist sociology" was frequently inconsistent and sometimes crude, though the validity of the mechanical equilibrium model continues to divide sociologists.

Apart from his conviction that in the absence of harmony "society will not grow but decline," all this says little about his politics. What it does illustrate is that in *Historical Materialism*, Bukharin, like other "seeking Marxists" of the Soviet twenties, saw Marxism not only as the ideology of the state, but as a system of living ideas competitive with and alert to the accomplishments of contemporary Western thought. With their departure, politically in the late twenties and physically in Stalin's purges of the thirties, the tension between ideology and social science that had characterized Marxism from the outset was resolved in Russia in favor of the former, and the questing spirit went out of Soviet Marxism for many years to come.

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Gentlemen Reformers in the Quaker City, 1870-1912

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Philadelphia's municipal affairs in the Gilded Age, like those of many American cities, were mired in corruption. Election frauds, graft, and political jobbery were the order of the day. A succession of artful political leaders—J. Donald Cameron, James McManes, Matthew Quay, and Israel Durham were the most illustrious—ran the city in the interest of the Republican party and its financial backers. Although Philadelphians were characterized by Lincoln Steffens as contented with this corruption, in the late nineteenth century a modest band of genteel reformers in their midst mounted earnest campaigns to enthrone integrity at City Hall. Conspicuous among these reformers—derisively labeled "Mugwumps"—were members of the Society of Friends.

The operations of boss rule clearly violated standards basic to the Quaker ethos. Some Friends were anxious to destroy the bosses' hold upon the municipal government. This impulse for political action would have borne more fruit had it not been for two significant inhibiting factors grounded in Quaker experience. The first of these was the Friends' tradition of avoiding active participation in politics; the second was their attachment to the Republican party. Unable to resolve the dilemmas posed by these traditions, the Quakers proved hesitant and ineffectual as political reformers and thereby contributed to the failure of the Mugwump movement in Philadelphia.

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I

The testimony of pacifism had forced Friends into a special relationship to politics. The rule "on Civil Government" in the books of Discipline of both the Orthodox and Hicksite branches advised

> all in profession with us, to decline the acceptance of any office or station in civil government, the duties of which are inconsistent with our religious principles; or in the exercise of which they may be under the necessity of exacting of their brethren any compliances against which we are conscientiously scrupulous.

First penned after the French and Indian War, this rule had been instituted to prevent the kind of confrontation between conscience and military necessity which had induced all Quaker legislators to withdraw from the Pennsylvania assembly in 1756. Supported by a threat of disownment from the Society, this injunction successfully kept all but a few Friends aloof from active politics for over a century, despite the fact that their chances of facing another conflict with their pacifist ideals were minimal.[1]

One Quaker held a brief tenure as Philadelphia's mayor in the eighteen-fifties, but he was clearly an exception. Only two Friends served as city councilmen in the late nineteenth and early twentieth centuries. Quakers serving in the federal legislature were equally rare, and Philadelphia produced none of these. Even in 1902 the liberal *Friends' Intelligencer* claimed that the Quaker "attitude of observation, of caution, of readiness to object or oppose, has been vastly more helpful to the general welfare than if they had involved themselves in the ordinary conflicts and struggles of political place seeking." On the other hand, Orthodox leaders Rufus Jones and Isaac Sharpless urged Friends to abandon their hesitancy. As editor of *The American Friend* after 1894, Jones gave considerable attention to politics in articles and editorials. The other Quaker periodicals in the city had rarely, if ever, touched on matters of political interest. Jones never viewed political and religious life as mutually

[1] *Rules of Discipline of the Yearly Meeting of Friends for Pennsylvania, New Jersey, Delaware, and the Eastern Part of Maryland* (Orthodox) (Philadelphia, 1873), 32-33, and *Rules of Discipline of the Yearly Meeting of Friends Held in Philadelphia* (Hicksite) (Philadelphia, 1869), 24; Frederick B. Tolles, *Quakers and the Atlantic Culture* (New York, 1960), 36-54.

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exclusive. Sharpless argued that, in spite of the dangers and temptations, Friends had a Christian responsibility to take an active part in politics. He himself served for many years as a Republican committeeman.[2]

Not only did Friends have a traditional hesitancy about political activity, but they faced a thornier dilemma of party loyalty. The political organization of their preference, the Republican party, was corrupt in Philadelphia; it therefore could not serve as a vehicle for reform. When the party had made its first appearance in Philadelphia in 1856 with a relatively undiluted stand against slavery, Friends had flocked to support it. Rufus Jones estimated that nearly every Friend who had the suffrage had voted for Abraham Lincoln. When the prominent Orthodox leader Samuel Bettle sought an interview with the Secretary of State in 1872, he was introduced as "a warm friend of President Grant and his administration." Despite his military career, Grant was popular among the Quakers because his Indian policy had given them an opportunity to put into practice a policy of kindness and brotherhood for which they had long prayed. When Swarthmore College President Edward Magill admitted that he had been a Republican from the time of the party's origin, he characterized the GOP as a "party of reform."[3] Concern for the Negro and Indian minorities had done much to build the image of the Republican party in Friends' minds as an organization of principle.

More practical questions blended with lofty idealism to promote

[2] *Friends' Intelligencer*, Feb. 1, 1902, p. 70; *American Friend*, Feb. 21, 1895, p. 173, March 7, 1895, p. 220 for Jones' attitude; Isaac Sharpless, "Quakerism and Government," MS of speech given in Berkeley, California, April 3, 1909, in Sharpless MSS, Quaker Collection, Haverford College (hereafter, QC); the Quaker mayor in 1856 was Richard Vaux, a Democrat; the two Friends in the city councils are discussed below; Smedley Darlington of West Chester and A. Mitchell Palmer of Stroudsburg were the two Quaker congressmen from Pennsylvania in this period.

[3] William Dusinberre, *Civil War Issues in Philadelphia, 1856-1865* (Philadelphia, 1965), 33-39, 48-50; Rufus M. Jones, *The Later Periods of Quakerism* (London, 1921), II, 729; Joseph Grinnell? to Hamilton Fish, Oct. 24, 1872, in Bettle MSS, Friends' Historical Library, Swarthmore College (hereafter, FHL); Edward H. Magill to John Wanamaker, June 3, 1898, reprinted in *City and State*, June 9, 1898, pp. 640-41; political analyst Samuel Lubell indicates he has "yet to find an area of Quaker settlement which has not been unswervingly Republican," *Revolt of the Moderates* (New York, 1956), 271 n.

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Republican loyalty among the Friends. As Joshua Baily put it, the party's principles "crystallized into law have done so much for the salvation and regeneration of the country and the promotion of her material welfare." One policy which affected that material welfare was the protective tariff. After 1861 the government afforded increased protection for several Philadelphia industries in which Friends had a financial stake: iron, steel, glass, and wool. In marked contrast to their New England counterparts, Philadelphia delegates to the 1869 National Board of Trade Convention had voted overwhelmingly for the maintenance of high rates. For many Quaker business executives the tariff was a cardinal element in their Republican faith. In 1890 Republican Mugwump Charles Richardson admitted to a fellow-reformer that he had always been a high-protectionist. Hicksite wool merchant Theodore Justice believed the Democratc party's tariff stand made its candidates unacceptable. Yet, others remained loyal to the GOP in spite of free trade sentiments. Francis R. Cope, a Quaker shipping merchant, saw tariff protection at the root of political corruption:

> So long as the notion prevails that it is the proper function of government to protect individual interests at the expense of the community, money will be found by those interests—manufacturers, railroad companies . . . , Quays & Wanamakers & Delamanters will continue to grease the machine with oil supplied by [these] patrons.

Cope was bound to the Republican party instead by its moral principles.[4]

Mugwump reform groups in the three largest Northeastern cities reacted in different ways to the problem of corruption. In New York, where the machine or "ring" was controlled by the Democrats, reformers fell naturally into the Republican party where fulminations against Tweed and Tammany were echoed by the party faithful in search of office. Boston reformers, facing a sluggish and powerful

[4] Joshua Baily, Diary, Feb. 27, 1885, in the Baily MSS., QC; Stanley Coben, "Northeastern Business and Radical Reconstruction: A Reexamination," *Mississippi Valley Historical Review*, XLVI (1959), 68-77; Charles Richardson to N. DuBois Miller, Sept. 10, 1890, Francis R. Cope to Herbert Welsh, June 6, 1891, both in Welsh MSS, Historical Society of Pennsylvania (hereafter, HSP); *Citizens' Republican Committee of Philadelphia to the Voters of Pennsylvania* (Philadelphia, 1890), 22-23.

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statewide Republican machine interested only in political jobs and the tariff, bolted to the Democrats in 1884.[5] But in Philadelphia the Mugwumps' aversion to both the Democratic party and the local Republican machine left them in an anomalous position. Fighting the bosses through short-lived independent political organizations, they were largely ineffectual. Internal dissension and frequent unwillingness to support reform Democrats diluted the force of their challenge. While Friends in the movement were not the only participants held back by political caution and distrust of organizations, they must share the responsibility for the failure to achieve any more than two municipal electoral victories in the four decades after 1870.

II

The first evidence of restiveness with Republican corruption appeared in Philadelphia in 1870 when the publisher Henry Charles Lea helped form the Citizens' Municipal Reform Association. Lea, whom the *Philadelphia Bulletin* later dubbed "the original mugwump," was the product of a Quaker-Catholic marriage. His youth and adulthood brought him into contact with many upper-class Friends, although he himself turned to Unitarianism. He induced many Friends to join the association during its seven-year battle with the Gas Ring. The city's Gas Trust, under the direction of wily James McManes, controlled thousands of jobs in the administration and had numerous contracts to dispense. From this power base McManes had built a political structure which was unrivaled. He was systematically mulcting the city of funds while the utility he directed provided the poorest service. Lea and his colleagues conducted investigations which proved the Trust's delinquent character, but did nothing to disturb its power. The Reform Club, an offshoot of the Municipal Reform Association, was established in 1872 to provide a social setting in which independency might flower. Clement Biddle and T. Wistar Brown were among the numerous Quaker members of the club. These modest beginnings provided

[5] James S. McLachlan, "The Genteel Reformers, 1865-1884" (unpublished Master's thesis, Columbia University, 1958), 103; Geoffrey Blodgett, *The Gentle Reformers: Massachusetts Democrats in the Cleveland Era* (Cambridge, Mass., 1966), 1-18.

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the nucleus for the reform group which was to achieve the only Mugwump victory of the nineteenth century, the Committee of 100.[6]

The adverse publicity given James McManes' Gas Ring paved the way for the election in 1877 of a relatively unknown Democrat, Robert E. Pattison, to the post of city controller. Re-elected in 1880, Pattison used his office to pry into the improper relationship between the city government and the utility. The publication by the New York *Herald* of Pattison's disclosures besmirched Philadelphia's name and brought the city's social and financial elite to her defense. Over one hundred merchants, bankers, lawyers, and professional men—all Republicans—organized a committee to promote the cause of reform. Naming as its chairman retired Quaker merchant Philip C. Garrett, the group met in December 1880 to endorse a ticket for the municipal election of the following February. While the Quaker proportion of the city's population was less than one per cent, nearly one-fifth of the Committee's members were prominent Friends. Oliver Evans, who was distinguished by his plain Quaker garb, and Philip C. Garrett, among others, favored the re-election of Republican Mayor William S. Stokeley. But when, under party pressure, the incumbent refused to agree to the Committee's reform principles, the endorsement was withdrawn—a victory for Friend Joshua Baily. The group's backing finally went to Democrat Samuel G. King for mayor and to reform Republican John Hunter for receiver of taxes. The Democrats united in common cause with the Committee's slate.[7]

The victory of the King-Hunter ticket in February was seen by

[6] Edward S. Bradley, *Henry Charles Lea: A Biography* (Philadelphia, 1931), 15-16, 177-78, 183, 189-94; James Bryce, *The American Commonwealth* (New York, 1911), II, 406-14; Reform Club of Philadelphia, *Constitution, By Laws, Charter, Rules, Officers and Members* (Philadelphia, 1875), 4-39; E. Dunbar Lockwood to Henry C. Lea, Jan. 27, 1876, in Lea MSS, University of Pennsylvania; Philip Garrett, *Party Politics in Great Cities* (Philadelphia, 1882), 20.

[7] J. Thomas Scharf and Thompson Wescott, *History of Philadelphia, 1609-1884* (Philadelphia, 1884), I, 849, III, 1716; Donald W. Disbrow, "The Progressive Movement in Philadelphia, 1910-1916" (unpublished Ph.D. dissertation, University of Rochester, 1956), 4-7; George Vickers, *The Fall of Bossism: A History of the Committee of One Hundred and the Reform Movement in Philadelphia and Pennsylvania* (Philadelphia, 1885), 81-153; Alexander K. McClure, *Old Time Notes of Pennsylvania* (Philadelphia, 1905), II, 460-61.

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the Committee's chronicler as an uprising of "the people" against the evils of political bossism. Quaker Jacob Elfreth hoped that the victory would "teach the Ring men that the people still have some voice." But even before the Committee had nominated King, former Mayor Richard Vaux had seen clearly that the election of a good executive was pointless by itself. Exposure and eradication of the Ring's power over the city councilmen, he wrote Henry Charles Lea, was a necessary prerequisite to real reform. The Ring's eventual destruction was, however, the result of state GOP boss J. Donald Cameron's decision to get rid of McManes. And while Mayor King was publicly investigating the corruption, Matthew Stanley Quay was effectively substituting his own influence for that of the Irishman. When King ran for re-election in February 1884, with the Committee of 100's endorsement, the reorganized machine was strong enough to insure his defeat. The Quaker Mugwumps and their colleagues on the Committee had failed to build upon the successful beginnings of 1881. They were unwilling to strengthen their ties with the Democrats. Uncertainty as to where political activism would lead them contributed to their impotence, and distaste for organization on the ward and precinct level gave them no viable base from which to launch their challenge to the machine.[8]

King's defeat was a bitter disappointment to the genteel reformers. Joshua Baily felt that in its brief tenure the Committee had "done wonders, had dispersed the foe, and actually taken command of the city in nearly all departments." He was proud of the fact that use of good business principles had saved the city millions of dollars. Quaker influence on the Committee had extended even to matters of procedure. The group entertained free discussion, rarely took a vote on important questions, but reached conclusions "by a consensus of judgment which was thought safe to act upon"—a secular "sense of the meeting." Stung by their defeat in 1884, the members decided to disband the Committee. While some saw usefulness in keeping an eye on City Hall to detect fraud, the "sense of the meeting" dictated an abandonment of political action. The decision eased Quaker consciences torn between reform hopes and

[8] Vickers, 212-13, 231; Disbrow, 7-8; Richard Vaux to Henry C. Lea, Dec. 25, 1880, in Lea MSS, Univ. of Penn.; Jacob Elfreth, Diary, Feb. 16, 1881, in Elfreth MSS, QC.

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the demands of political reality. The Committee held annual reunions as late as 1893, although these were more social than political in character. The Philadelphia preference for nostalgia was assumed all too readily by men unwilling to fight in the present for the reforms they espoused.[9]

III

The reform movement that had the greatest attraction for the Mugwumps was the drive to replace the spoils system with a civil service based on intellectual merit. The Quakers were particularly attracted to it because of its non-partisan character. For Friends unwilling to compromise any of their principles, it was a natural outlet. Usually silent on governmental questions, Quaker weeklies spoke out forthrightly in support of President Grant's civil service bill in 1872 and the Pendleton Act of 1883. They viewed civil service more as a moral queston than a political one. Hicksite lawyer Joseph Parrish, a former member of the Committee of 100, characterized the operation of the spoils system as "ungodly doings" which were incompatible with Christianity. When Samuel Morris wrote President Hayes in 1877, he urged him to pay particular heed to citizens "who believe that it is righteousness only which truly exalteth a nation." Morris saw in extension of the civil service system one way of attaining that righteousness and a means of destroying the corruption which lowers "the standards of business morality throughout the community." Quaker merchants with extensive dealings at the Customs House were particularly anxious to get high standards in the public service.[10]

Friends were conspicuous in their support of the Civil Service Reform Association of Pennsylvania, and many were on its executive committee. In 1891 the membership included four Copes, two

[9] Joshua Baily, Diary, Jan. 19, 1886, for the quotation, and William H. Jenks to Baily, Nov. 13, 1893, in Baily MSS, QC; Henry C. Lea to Philip Garrett, Feb. 21, 1884, and Lea to [?] Cope, June 16, 1884, in Lea MSS, Univ. of Penn.

[10] Ari Hoogenboom, *Outlawing the Spoils: A History of the Civil Service Reform Movement* (Urbana, 1961), 195-96; *Friends' Intelligencer*, Dec. 28, 1872, p. 696; *The Friend*, Jan. 27, 1883, p. 199; Joseph Parrish to Herbert Welsh, July 23, 1889, in Welsh MSS, HSP. Samuel Morris to R[utherford] B. Hayes, Dec. 1, 1877, in Morris-Sansom MSS, QC.

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Woods, two Bailys, two Garretts, two Justices, and practically all the officers of the Quaker-run Provident Life and Trust Company. One of the members was Charles Richardson, an Orthodox Friend, who was for many years on the executive committee of the National Civil Service Reform League, and gave major speeches to the group's conventions in 1902 and 1903. He served for a time on the city's Civil Service Board of Examiners. As a reward for the standards he demanded there, Quay-henchman Mayor Samuel Ashbridge dropped him from the board in 1899. Three years earlier Richardson had publicly criticized the power that the Mayor and the department heads were able to exercise over the board, and had called for a revision of the system. It is not surprising that Friends' loyalty to this cause continued into the twentieth century; Joshua Baily was still contributing to the work of the National Civil Service Reform League in 1913.[11]

The first indication of renewed efforts by the genteel reformers against the Quay machine came in 1887. The Citizens' Municipal Association which came into being that year set for itself three primary tasks:

> (1) to sustain the constituted authorities in faithful administration of public service; (2) to secure a strict fulfillment by public officers, employees, and contributors, of all their obligations to the City, and to the citizen; (3) to promote such legislation as shall be most conducive to the public welfare.

The guiding spirit behind the Association was a retired Quaker dry-goods merchant, Joel J. Baily, who served as chairman of its executive committee until his death in 1903. Another Friend on the committee was manufacturer Walter Wood. The chairman's cousin, Joshua Baily, headed the Association's Committee on Abuses and Complaints which made itself thoroughly unpopular in City Hall. The group was highly critical of the alliance between local traction magnates and the city government shown in the granting of transportation franchises. The fact that the group served only as a "watch-dog committee" and eschewed endorsement of candidates

[11] Civil Service Reform Association of Pennsylvania, *Tenth Annual Report of the Executive Committee* (Philadelphia, 1891), 15-21, and Joshua Baily to Welsh, March 13, 1913, both in Welsh MSS, HSP; *City and State*, Dec. 17, 1896, p. 1, April 27, 1899, p. 273, March 19, 1903, p. 226-28, Dec. 17, 1903, p. 402.

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for office attracted Friends who had remained aloof from other reform organizations. Hicksites such as machine manufacturer J. Sellers Bancroft and department store executive Morris L. Clothier were members. Orthodox support came from real estate dealer Dillwyn Wistar and Germantown trust officer Elliston P. Morris.[12]

Some Friends became active on behalf of the city's Municipal League which was founded in 1891. It lobbied for the extension of civil service to all departments in the municipal government and sought "the conduct of the city's affairs by enlightened methods and upon business principles." On the state level it worked for the adoption of the Australian ballot and for a system of personal registration. By 1896 the League had units in twenty-five of Philadelphia's forty wards and could claim five thousand supporters in the fight against boss rule. Its endorsement of several Democratic candidates for city offices in the nineties gave pause to some Republican reformers. To encourage their participation the League stated that its purpose was to secure "the practical separation of municipal affairs from state and national politics." Philip Garrett was one Friend who remained aloof from the organization until 1898, when he gave it his wholehearted support, asserting at the same time that he remained a Republican nationally. However, the charge that the League was merely a tool of the Democrats prompted it to endorse the 1903 GOP mayoral candidate, John Weaver, in spite of his ties with the Quay machine.[13]

The League's vice-president was Charles Richardson, the most active and acute of the Mugwump reformers in the Society of Friends. He played a prominent role in the founding of the National Municipal League and in 1897 was one of those chosen to formulate a theory of municipal administration under its auspices. The fight over Philadelphia's lease to the United Gas Improvement Com-

[12] Henry C. Lea to Joel J. Baily, Feb. 10, 1887, in Lea MSS, Univ. of Penn.; Citizens' Municipal Association, *2nd Annual Report* (Philadelphia, 1888), 29-30 for the quotation, and 35 ff; *4th Annual Report* (Philadelphia, 1890), 30-36; *9th Annual Report* (Philadelphia, 1895), 56-63; *20th Annual Report* (Philadelphia, 1906), 42-44; *City and State*, March 12, 1903, p. 207; Edwin H. Fitler to Joshua Baily, Oct. 5, 1887, in Baily MSS, QC.

[13] Clinton R. Woodruff, "The Municipal League of Philadelphia," *American Journal of Sociology*, XI (1905), 336-58; *City and State*, May 14, 1896, p. 6, March 3, 1898, p. 363, Jan. 29, 1903, pp. 84-85, 93.

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pany led Richardson to advocate an extension of municipal functions and the abolition of private corporations in the public service field. More politically aware than his fellow Quaker reformers he grasped the weaknesses of the Mugwump protest movement. In the fight for ballot reform in Harrisburg he sought a wider base of support than "the ultra respectable few" on which he could regularly depend, and used what he regarded as expedient means in appealing for support from the party rank and file. Richardson sensed, too, that a multiplicity of reform organizations vitiated the strength and effectiveness of the genteel reformers. Too many committees and leagues were demanding support to present a solid front for real change. As he wrote Henry Charles Lea in 1899, "It is only on rare occasions that it seems to be possible to get independents to forget their independence so far as to unite in a common effort."[14]

More direct in their confrontation with the machine were two Friends who won election to the municipal legislature. Charles Roberts, a member of the Twelfth Street Meeting, stood for the Common Council as representative of the Ninth Ward in 1886. Victorious, he was re-elected continuously until his death in 1902. From the outset he made clear that despite his Republican affiliation he would be no willing tool of the machine. He soon offered a resolution of inquiry "as to the alleged reception by the Treasurers of the city of compensation other than their salaries." Five months later he called for an investigation of accusations that Mayor William Smith had retained city funds in his possession instead of turning them over to the treasurer as directed by ordinance. Roberts was appointed to the investigating committee and made the presentation of its findings which recommended Smith's impeachment. In the fall and winter term of the 1890-91 session Roberts voted in a minority of two or one on nine separate occasions. The Ninth Ward councilman continually raised objections to the awarding of contracts to firms favored by the bosses. Many of Roberts' colleagues on the 150-man Common Council were rewarded for their loyalty

[14] Frank M. Stewart, *A Half-Century of Municipal Reform: The History of the National Municipal League* (Berkeley and Los Angeles, 1950), 19-20, 29-30, 51; *City and State*, Nov. 21, 1895, p. 2; Charles Richardson to Herbert Welsh, Jan. 7, May 23, 25, June 5, 1891, in Welsh MSS, HSP; Richardson to Henry C. Lea, May 25, 29, 1899, in Lea MSS, Univ. of Penn.

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to these special interests. During the 1894-95 sessions he stood alone in his opposition to measures before the Council on ten different occasions, and voted with minorities of two to five councilmen on twenty-two other bills. The vast majority of these were electrification franchises for trolley routes in different parts of the city; others included purchases of land and special appropriations to city departments which usually lined the pocket of a machine favorite.[15]

This record of dissent was stoic in character. There is something rather pathetic and hopeless about it as well. Yet it was clearly in tune with the spirit of genteel reform. The fact that Roberts was always the perfect gentleman in his disagreements with the majority, never showing any antagonism or impugning its motives, gave his performance the proper touch of gentility. In the late nineties Roberts headed investigations of the Mutual Automatic Telegraph Company and the United Gas Improvement Company. Thanks to the disclosures of his committee, leases with these firms more favorable to the city were secured. He had attempted to disqualify himself from investigating the UGI because he owned stock in the utility. When the other councilmen prevailed upon him to head the investigation anyway, his criticism of the gas company outdid that of the other committee members. To improve city services in 1898 he agitated for and secured the building of lighted rest shelters on Broad Street to the applause of his fellow-reformers. His death removed one of the strongest examples of probity and integrity from the city's legislature.[16]

Another Friend did battle with the United Gas Improvement Company five years after Roberts' death. William Gawthrop Huey, who had been elected to the Common Council representing the Fifteenth Ward, was asked by Mayor Weaver to serve as chairman of a commission looking into the lease granted the UGI. Huey's opposition to the leasing arrangements for the gas firm dated from

[15] *Journal of the Common Council of the City of Philadelphia, 1886-1887* (Philadelphia, 1887), I, 49, 301, 339, 358, Appendix 339-50; *ibid.*, 1890-91, II, 23, 54, 172, 203, 353, 358, 372, 376, 414, 519; *ibid.*, 1894-95, I, 79, 85, 104, 122, 168, 170, 194, 206-11, 244, 260, 287, 314-15; II, 22, 115, 148, 251, 325, 429, 462, 492, 498, 515, 542, 549.

[16] *Ibid.*, 1894-95, II, 377; *City and State*, Nov. 11, 1897, p. 81, Jan. 27, 1898, p. 273; Jan. 30, 1902, p. 69.

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1897 when he had offered a resolution in Council to look into offers of UGI stock to councilmen voting for the lease. Unlike Roberts, his loyalty to the Republican party often kept him from voting with the Mugwumps. Quay had planned to run Boies Penrose for mayor in 1895, and Huey signed a public letter urging his candidacy. Quay-lieutenant David Martin forced the nomination of Charles Warwick instead, and the state boss finally acquiesced in this choice. Huey could have supported reformer Robert Pattison, but he voted instead for Warwick. His membership in the Union Republican Club in 1904 suggests that he had closer ties to the GOP organization than most of the Quaker reformers.[17]

IV

To induce independent Republicans to vote for Democratic reformers in state elections in the nineties, temporary organizations were established to make desertion of the GOP more palatable. When Democrat Robert Pattison made a successful bid for the governorship in 1890, the Lincoln Independent Republican Committee was formed to support him. In an obvious bid for reform votes a Negro entered one of its rallies at the Academy of Music bearing a Lincoln banner from the 1860 presidential campaign. All but the diehard protectionist Republicans among Friends joined the Committee. In 1898 the short-lived Honest Government party drew nearly as much Quaker support in the abortive attempt to elect Methodist clergyman Silas Swallow—a marvelously ill-named prohibitionist—to the governor's chair. When in 1891 Bryn Mawr College President James E. Rhoads defined for the Quaker Mugwumps their primary political goal as the purification of the Republican party, it made apparent the limits of their effectiveness. Rhoads believed that only occasional votes for Democrats could be justified as correctives of GOP errors.[18]

[17] *City and State*, Oct. 21, 1897, p. 34, Apr. 14, 1898, p. 481, May 12, 1898, p. 553; William G. Huey to Herbert Welsh, Feb. 11, 1895, in Welsh MSS, HSP; McClure, II, 592-93; Philadelphia *Public Ledger*, Dec. 4, 1894, Sept. 7, 1912; *Republican Club Book 1904: Pennsylvania Edition* (Philadelphia, 1904), 29.

[18] Lists of members of the Lincoln Independent Republican Committee, of the executive committee of the Honest Government party, and contributors to the Swallow campaign are in Welsh MSS, HSP; Joshua Baily, "Speech given

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When Philadelphia's Municipal League disbanded in 1904, the Quaker reformers shifted their support to the newly formed Committee of 70. The new organization's president was Quaker publisher John C. Winston. The Committee's membership came to include many older Friends, some of whom had seen twenty-five years of service in the cause of reform: Joshua Baily, William H. Jenks, Charles Richardson, Walter Wood, J. Gibson MacIlvain, and Asa S. Wing. Younger Quakers made their appearance in the lists for the first time: Frederick H. Strawbridge, J. Henry Scattergood, and Charles F. Jenkins. Fortuitous circumstances had given the group a real opportunity to press for reform at the polls in 1905. An attempt by Quay-adherent Israel Durham to secure the extension of the United Gas Improvement Company's lease on the city's gas works resulted in a public outcry. Internal squabbles within the machine and the mounting demand to veto the gas-lease steal pushed Mayor Weaver into the arms of the reformers. An independent organization, the City party, was formed and received the blessing of the Committee of 70 which urged reformers to shun the GOP. The City party ran candidates against the Republican organization for lesser city posts in the November election. At the same time a statewide independent group united with the Democrats and ran Chester Mayor William Berry for state treasurer. The reform excitement spread to many parts of the city and engaged the support of religious leaders who helped establish prayer meetings on behalf of cleaner government.[19]

So intense was the fervor of reform spirit that it shattered precedents among the Friends. Speaking at the twenty-fifth anniversary of the Friends' Institute, Francis R. Cope Jr. gave strong support to the City party's insurgency and praised the work of the Committee of 70. He condemned the indifference of Philadelphia citizens, nearly 200,000 of whom never bothered to go to the polls on elec-

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at the Academy of Music, Philadelphia, Oct. 20, 1890," in Baily MSS, QC; *Republican Committee . . . to the Voters*, pp. 22-23; James E. Rhoads to Herbert Welsh, Oct. 7, 1891, in Welsh MSS, HSP.

[19] Disbrow, 13-19; Committee of 70, *Report of the Executive Board, 1905* (Philadelphia, 1905), 23, 26-30; Lloyd M. Abernathy, "Insurgency in Philadelphia, 1905," *Pennsylvania Magazine of History and Biography*, LXXXVII (1963), 3-20.

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tion day. A public letter lauding "the movement" was sent to President Sharpless to read to the student body at Haverford. In this mood of excitement the Hicksite Representative Committee even wrote Mayor Weaver, encouraging him "to be faithful as an instrument of divine providence for the maintenance of good order, and the suppression of every influence that has a tendency to corrupt the morals of mankind." Rufus Jones ripped into the machine's shoddy construction work on the boulevard in northeast Philadelphia and the loss to the city of six million dollars through the fraud of the contractors. Quaker Committee of 70 members spoke on behalf of the City party ticket in many wards of the city. Charles Jenkins and J. Henry Scattergood were particularly active in bringing out the reform vote in the Twenty-second and Twenty-fourth Wards respectively. On election day the reformers were victorious. One enthusiastic analyst said it marked the end of the oligarchy in Philadelphia. Isaac Sharpless called it "the most significant municipal revolution in the history of America."[20]

In their optimism both commentators betrayed the naiveté of the Mugwump view of politics. The year 1905 marked no revolution at all. Mayor Weaver was soon wooed back into the Republican organization and, contrary to Charles Jenkins' hopes, the City party was dissolved soon after Boies Penrose bested it in the gubernatorial race of 1906. Their years of experience indicated to the Mugwumps that the same fate awaited their Committee of 70 if changes were not effected in its program. Under John Winston's leadership it retreated from such political activism as endorsing candidates and supporting parties. The Mugwumps made it instead a "watch-dog" organization which attempted to uncover election frauds and improve the machinery of democracy. Their choice was a wise one; it made possible the survival of this agency of good government into

[20] "Programs held at the Friends' Institute, 1903-1907," MS in the Department of Records, Philadelphia Yearly Meeting; Ellis Yarnall to Henry C. Lea, June 9, 1905, in Lea MSS, Univ. of Penn.; Philadelphia Yearly Meeting (Hicksite), Representative Committee, Minutes, March 17, 1905, p. 78, FHL; *American Friend*, Nov. 9, 1905, p. 736, for Jones' comments; Dec. 21, 1905, pp. 848-51, for those of Sharpless; Philadelphia *Public Ledger*, Sept. 19, 29, Oct. 11, 12, 22, 1905; Charles F. Jenkins, "The People's Party in the Twenty-Second Ward," in Jenkins MSS, FHL; George Woodward, "A Triumph of the People," *Outlook*, Dec. 2, 1905, pp. 811-15.

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the nineteen-seventies. Winston guided the Committee as a pressure group demanding state personal registration laws, uniform primaries, civil service, and a corrupt practices act. On the municipal level it undertook exposure of police interference at polling places and recommended overhaul of the court system and the city councils to make them more representative and less unwieldly.[21]

While the Committee worked for reforms which could be characterized as "progressive," its very aloofness from party gives it more the appearance of a Mugwump survival. In 1905 Baily, Richardson, Jenks, and McIlvain were all over sixty. The original Committee of 70 had none of the youthful protest which characterized the Progressive movement. Nor can it be said that the reform administration finally elected in 1911 reflected youthful vigor. Rudolph Blankenburg was over seventy when he won the mayoralty on the Democratic and Keystone tickets in 1911. A few Friends campaigned actively against the machine that year, and while they applauded the Blankenburg program they did not play a dominant role in carrying it out. The only Quaker to serve in the administration was the Hicksite Frank L. Neall, who headed the street cleaning department for a brief period. Years of battle against Quay and his successors had not really altered the Friends' view of politics. The non-partisan, watch-dog activities of the Committee of 70 afforded the best outlet for the Quaker spirit of genteel reform.[22]

If Friends in the reform movement had refused to see the necessity for political organization they were consistent in their support of moral principles. When that put them in a minority position they grudgingly accepted it. After the defeat of one reformer in 1891 Joshua Baily wrote: "We must be content with what Edwin Arnold says, 'The truth is with the remnant.' " The previous year architect Walter Cope, in urging the breakup of the Lincoln Independent Republican Committee, indicated that what really counted in the battle against the Quay machine was the silent force of independence. He viewed Robert Pattison's election to the governorship that year "not as a victory for our committee, invaluable as its

[21] Disbrow, 20-26; Jenkins, 4; Committee of 70, *Report of the Executive Board, 1912* (n.p., 1912), 4-13; Philadelphia *Public Ledger*, magazine section, Dec. 7, 1913.

[22] Philadelphia *Public Ledger*, Sept. 6, Oct. 2, 11, 19, 1911; Disbrow, 46-95.

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services have been, but a victory for the right and for the moral sense and conscience of the *people*." Lawyer Joseph Parrish had asserted,

> We "Independents and Republicans" in Philadelphia are a feeble folk so far as numbers and the influence which is given by numbers, but any words of soberness and truth which we may see fit to speak, I think will be respectfully recognized at all events, and perhaps have a greater force by reason of our very helplessness as a political power in this locality.

The Quaker roots of that sentiment are clear. Like their fellow-Mugwumps in New York, these Philadelphians saw themselves as the "moral stewards" of the community.[23]

V

Support for municipal reform had come from Friends with diverse records of involvement in their Meetings' activities. Charles Richardson, Joshua Baily, and Walter Wood were all members of the Orthodox Twelfth Street Meeting, but they served on no committees and accepted no official appointments on its behalf. On the other hand, Charles Roberts was one of the most active members of that same Meeting. He served nearly three decades on the Library and Property Committees and as the Meeting's treasurer. Besides his appointment as the trustee of several of its properties, Roberts shouldered many minor duties which entailed visits with applicants for membership and receiving those who transferred from other Meetings. In the Race Street Meeting, Nathaniel Janney left a record of considerable service; yet another Hicksite reformer, Joseph Parrish, took on not a single duty in a lifetime of membership at Race Street. While no clear correlation can be found between Meeting activity and political reform, all of the Quaker Mugwumps were the products of Friends' schools. Roberts, Baily, Wood, Parrish, and John C. Winston all attended Haverford College. Richardson, Jenks, and Janney had been students at the Westtown

[23] Joshua Baily to Herbert Welsh, Nov. 4, 1891, Walter Cope to Welsh, Nov. 13, 1890, in Welsh MSS, HSP; Joseph Parrish to Henry C. Lea, May 29, 1885, in Lea MSS, Univ. of Penn.; Gerald W. McFarland, "The New York Mugwumps of 1884: A Profile," *Political Science Quarterly*, LXXVIII (1963), 58.

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School outside Philadelphia. The Quaker "guarded education" which these institutions provided in the nineteenth century instilled in the young standards of behavior which were clearly at variance with those being practiced in City Hall.[24]

In contrast to the Mugwump counterparts in Boston who were dominated by professionals and intellectuals, the Philadelphia Quaker reformers were primarily prosperous merchants and bankers. Educational leaders such as Isaac Sharpless of Haverford and Edward Magill of Swarthmore were really on the periphery of the movement. Charles Richardson began his career in real estate and became the first president of the Land Title and Trust Company in Philadelphia. Charles Roberts was a partner in the glass manufacturing firm of Whitall, Tatum and Company; in the nineties he was president of the Spring Garden Insurance Company. John C. Winston built up the publishing house that bore his name; first specializing in the printing of Bibles, in the twentieth century the firm was expanded into a major publishing house with diverse publications. Joshua Baily and William Jenks were dry-goods and cotton merchants respectively. Walter Wood was an iron manufacturer, Nathaniel Janney was in real estate and banking, and Joseph Parrish was an attorney. Thus, in their occupational backgrounds, the Quaker reformers were more like the Mugwumps of New York than those of Boston.[25]

Nor can it be said that these Friends "nursed a sense of missed chances," as the Bostonian reformers had. Socially and economically these Quaker merchants and bankers suffered from few feelings of alienation and displacement as a result of the industrial transformation of their city. They were prosperous if not affluent. Walter Wood, Joshua Baily, and J. Gibson MacIlvain were all millionaires. Charles Roberts' gift of fifty thousand dollars to Haverford College to construct an assembly hall and administration building affords one measure of his wealth. Some had risen to affluence from modest circumstances: Richardson's father had been a bookseller, Parrish's

[24] Out of a membership sample of 710 Friends in this period, 235—roughly one-third—were found to have attended Quaker secondary schools; while only 51 attended Quaker colleges (seven per cent); biographical data and sources are on file in the Quaker Collection, Haverford College.

[25] Blodgett, 19-29; McFarland, 43-58.

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was a druggist; more were born to wealth. Richardson, Jenks, Wood, and MacIlvain were listed in the Social Register. Although none of them belonged to the most prestigious clubs of the Philadelphia aristocracy, they were active in lesser ones and in the most significant cultural associations. Richardson and Wood summered in Bar Harbor and Northeast Harbor in Maine, which clearly put them in the midst of the city's social elite. While these men had seen the Society of Friends lose power and diminish in size, they certainly could not have felt economically or socially impotent themselves.[26]

The Quaker merchants of late nineteenth-century Philadelphia were drawn to the reform movement by a sense of civic and moral responsibility. They had learned some of that concern in the meetinghouse community. As businessmen they sought the application of sound mercantile principles of efficiency and frugality to municipal government. As Friends they sought to restore the moral health of the community in tune with their religious standards. As members of the upper middle class they sought to defend Philadelphia's civic reputation. It was a subtle blending of mercantile, religious, and social motives in the Protestant tradition which induced these men to oppose boss rule at City Hall. They believed that honest government would restore to the entire community the moral standards to which they clung. They thought not so much in terms of democracy as of propriety. But with their unwillingness to build a permanent organization outside the Republican party, they stood little chance of undermining the machine's power base in the wards and precincts of the city. To their confrontation with Republican Matt Quay, a real professional, they brought little political sagacity. But they were doubly encumbered by the Quaker political dilemma. As they deserted both the Friends' tradition of political aloofness and the party of their natural allegiance, they were haunted by doubts. So burdened, their movement was a predictable failure.

[26] Blodgett, 6; the most extreme assertions of the status revolution thesis to explain Mugwump reform can be found in Richard Hofstadter, *The Age of Reform: From Bryan to F.D.R.* (New York, 1955), 135-43, and Hoogenboom, 196-97.

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Rousseau's Concept of Consensus*

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The idea of consensus is critical to an understanding of the political philosophy of Jean-Jacques Rousseau. Indeed, it was for him the "heart" of society, as he would posit that it must be held in the "heart" of each and every man within society. Its importance is indicated by the form in which he presented the basic question facing man. That question is political: "Man is born free, and everywhere he is in chains. . . . What can render [social bonds] legitimate?"[1] This question isolates the problem of consensus in a manner different from that used by previous theorists. Instead of merely demonstrating that consensus is crucial for social life and, for this reason alone, that it must be maintained,[2] Rousseau faces the problem from the perspective of

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[1] *Rousseau: Political Writings*, ed. and trans. Frederick Watkins (New York, 1953), 3-4. See Ernst Cassirer, *Rousseau, Kant, and Goethe*, trans. James Gutmann, Paul Oskar Kristeller, and Herman Randall Jr. (New York, 1963), 29-30, for an analysis of the original draft of *The Social Contract* which would indicate that Rousseau felt that the resolution of the dilemma over legitimacy must be found in law and commonly directed wills, and not in sophistic arguments that destroy rather than support law. Hence, Rousseau generalizes from the form of law rather than guess its best content, and, in so doing, he uses man's natural drives and characteristics as his guide.

[2] Usually the arguments are couched in the framework of the recognizable, inherent value of consensus—or harmony of feelings—in a community. *The Works of Plato*, ed. and trans. B. Jowett (New York, n.d.), 194-97; *The Politics of Aristotle*, ed. and trans. Ernest Barker (New York, 1962), 1, 5, 7.

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the question, What kind of justification can be offered that will resolve the paradox of forcing men, free by birth, into social bonds which restrict their behavior? In other words, Rousseau sought to establish a reasonable justification for individuals' submitting to the restrictions necessary for maintaining a stable order.

In the process Rousseau established guidelines for legitimacy by explicating the government's role as ruler, delimited by the consensus, and the individual's role as citizen, also defined in terms of the consensus. This approach required an understanding of the individual, his basic psychological composition, and, therefore, the requirements for a stable order. The justification for the use of power is based upon the individual's built-in characteristics and limitations and the manner in which these lead to the social restrictions that are necessary in order to realize individual and common social interests.

Before setting forth Rousseau's complicated answer to the question of legitimacy, it will facilitate our presentation to note that his ideas are presented in terms of desirable goals.[3] This indicates that he knew that the standards developed throughout his analysis *were* standards and that the circumstances of different political situations would require factual analysis before one could venture to suggest how best to approach these standards.[4] In short, Rousseau presented an ideal type of "consensus" in order to demonstrate its relationship to "legitimacy," an ideal type of the form and sense later explicated in the works of Max Weber.[5]

[3] *The Social Contract*, trans. Gerald Hopkins (hereafter, *Social Contract*), in Ernest Barker (ed.), *Social Contract* (New York, 1947), Bk. III, chaps. ii-ix, indicate the relativism of Rousseau's position.

[4] Rousseau was aware of the difficulty of applying his general standards to particular situations. He gives exemplary analysis for two countires in his efforts to explicate general wills for particular environments. See *Considerations on the Government of Poland*, trans. Willmoore Kendall (Minneapolis, 1947) (hereafter, *Poland*), and *Constitutional Project for Corsica*, in the Watkins translation (hereafter, *Corsica*).

[5] See Max Weber, *The Theory of Social and Economic Organization*, trans. Talcott Parsons (New York, 1964), 92, and Parson's introduction, p. 13. Judith N. Shklar, "Rousseau's Two Models: Sparta and the Age of Gold," *Political Science Quarterly*, LXXXI (1966), 25-51, uses two models that are similar to Weber's ideal type constructions.

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The whole of Rousseau's political writings are treated as a single endeavor for they are integrated by a psychological theme.[6] In fact, it is only by following this theme and by paying attention to the question Rousseau said he was going to answer that we can make sense out of what is sometimes looked upon as a collection of political paradoxes.

I

Rousseau was not content to determine the essential nature of homo sapiens merely by observing how man acts in society.[7] He more than realized the error of deducing man's nature from observing social behavior alone; observers would be likely to mix the inherent or natural with the socially learned. So he was forced to hypothesize about what man would be like without social bonds,[8] to construct a psychology of man. Rousseau makes a basic distinction between man and brute that is based upon the difference between living by pure instincts (both man and animal are guided by these instincts when resolving their animal needs) and the ability of man, since he is a free agent, to alter these instinctual patterns through reason; this means that man, unlike the animal, can achieve liberty.[9] Liberty requires advancement beyond instinctual response; otherwise man is enslaved by his instincts. The ability of man to act as a free agent (the faculty for self-improvement) will direct man toward society in a complicated but natural manner in that, sooner or later, in a

[6] See Watkins, xiii, and Emile Durkheim, *Montesquieu and Rousseau: Forerunners of Sociology*, trans. Ralph Manheim (Ann Arbor, 1960), 65-91.

[7] *A Discourse on the Origin of Inequality* (hereafter, *Inequality*), in *The Social Contract and Discourses*, ed. and trans. G.D.H. Cole (New York, 1950), 193-97. See also Leo Strauss, *Natural Right and History* (Chicago, 1953), 265-68.

[8] The dilemma he faced was summed up by two questions: *"What experiments would have to be made to discover the nature of man? And how are those experiments to be made in the state of society?" Inequality*, 191, 198.

[9] *Ibid.*, 207-08, shows clearly that will is the ability to deviate from instincts. This point is crucial since it makes clear that until man lives by controlled instinct, he is not fully developed. Thus, "man is, in nature, subhuman." Strauss, 217. See Cassirer, 10, and Allan Bloom, "Jean-Jacques Rousseau," in Leo Strauss and Joseph Cropsey (eds.), *History of Political Thought* (Chicago, 1963), 519.

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better or worse situation, man must become social.

Two basic drives are present prior to man's discovery of his ability to reason: concern for his "own welfare and preservation" and "a natural repugnance at seeing any other sensible being, and particularly any one of our own species, suffer pain and death."[10] All other drives result from these two and their combinations; one need not assume other principles of behavior such as sociability.[11] Although man must become social, according to Rousseau he is not by nature a social animal; the social aspects of man are derived from other characteristics. Rousseau places the need for social restrictions upon man's rather than society's nature. The progression to social activity is the result of stimulation of two basic drives (in conjunction with man's basic faculty for self-improvement) by circumstances that will induce man to develop other faculties.[12]

Natural man, in Rousseau's hypothetical construct, was morally neutral. He had neither obligations nor moral relationships; he was simply a brute who, with the aid of circumstances, had the capacity to improve himself. Man was later to develop his power of reason and, in circumstances that tap his passion and allow his reason to create in him something beyond mere instinctual needs, his need to be moral.[13] As long as man acts on primary drives, morality is not necessary. Man must advance beyond instinctive animal reactions if he is to be more than a dotard; and to act below his own full capacity places man, in a sense, below the brute.[14] This means that man must advance toward society in order to become human, in order to become virtuous, in order to become more than a creature of instinct. Further, Rousseau thought that man could not keep from doing so.[15]

[10] *Inequality*, 193, 223; *Social Contract*, 241.

[11] *Inequality*, 193; see also Strauss, 252, and Cassirer, 20.

[12] *Inequality*, 210.

[13] *Ibid.*, 208-10, 221.

[14] *Ibid.*, 221, 223. This development leads Strauss to argue that freedom, for Rousseau, is replaced by perfectibility and that freedom makes man virtuous (265, 281, 285-86). This point is important, for below we will see that virtuousness can be developed through patriotism without sacrificing one's own freedom or the freedom of others.

[15] *Inequality*, 281-82.

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A distinction is drawn by Rousseau between self-respect (or the Hobbesian notion of self-preservation), which is natural and tempered by compassion, and egoism, which is a relative and a social phenomenon. The latter drive is one that can cause problems for members of a society because it makes possible the development of a "sense of honor" which can be won only at the cost of damage to others. Man's sense of compassion, however, enables him to temper his own drives for self-improvement by virtue of feeling a common attachment to those of his species in pain. Since compassion is one of the two natural drives, its effect on tempering egoism can be said to be natural. The natural balance between compassion and self-respect, in Rousseau's hypothetical natural state, was described in a form suggested by the Golden Rule: "*Do good to yourself with as little evil as possible to others.*"[16] This balance in the natural order is applied to the social order. Even though reason enables man to learn to desire scarce resources in the first place, it will also enable him to control his egoism.

Since man has no built-in acquisitiveness, this characteristic must be the result of external forces playing upon his ability to reason. Man gains use of his faculty to reason only by being confronted with circumstances which require that he advance beyond the point of being content to live according to his instincts. Because of natural abundance and the tranquility of living in nature, any man would be perfectly satisfied. Food would be available; sexual hunger satisfied randomly. Everyone would be equal save for physical differences which would not make much difference anyway. Why, then, must man become a social animal? It is simple enough: man would be faced with new circumstances and he would learn. The process would be complex and slow. Even the development of language would require long, complicated efforts and social interaction. It would require that these interactions develop into mutual "dependence" before any egoist distinctions, unknown in nature, could be established; but only time and circumstances were needed.[17] By setting forth the kinds of conditions that would lead to the chain of events that—be-

[16] *Ibid.*, 223-27; Strauss, 270.
[17] *Ibid.*, 211, 213, 216-17, 223, 232-33.

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cause of man's psychology—must end with society, Rousseau was explaining why society was inevitable. In other words, he belabored the natural and inherent characteristics of man to show why man could not avoid the chains of society.

Although Rousseau suggests that the first founder of society was the first man to claim property for himself and to find others simple enough to yield to his claim, he expended greater effort to make clear that the conditions requisite for such an occurrence would have had to develop long before. Man's original reactions are quite simple: his first feeling is existence; his first care, self-preservation; his appetites, mere sensations. Man, however, would develop more complex reactions. He would be faced with circumstantial deprivations; scarcity, cold, soils, climates, and disasters would eventually confront him. These circumstances somehow would cause man to see that he could advance his preservation by relying on the assistance of his fellows. In situations where men are not restrained by suspicion of their fellow men, associations of individuals that carry no restraint upon their members would develop and would last long enough to fulfill the needs that originally gave rise to the associations.[18] Man would, in this process, develop self-consciousness and recognition of his ability for self-improvement.

Man's earliest realization of self would lead to pride; his reason to understanding the advantages of common endeavor and to the first social revolutions "which established and distinguished families"; and this would have been the "first expansion of the human heart." But out of this transition would also come the "first yoke" for man to place upon himself; for leisure would be a by-product of common endeavors and leisure allows man to develop conveniences that are at first unnecessary but are soon considered needs. These artificial necessities represent the first things that man would come to value—things which had no natural or animal utility. They would become secondary drives whose values are superimposed on the objects by man. The newly valued objects would lead man to make comparisons between them and to develop ideas of "beauty and merit"; this, in turn,

[18] *Ibid.*, 234-36; Strauss, 272.

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would lead to preference and its companions: vanity, contempt, shame, and envy.[19]

The results are obvious. Men would value things and place values on themselves in relationship to their possession of these newly valued objects; this would lead to the end of innocent animal happiness and to the beginning of social conventions. Man begins to look to his neighbors to see what opinions they hold of him, and he acts according to what he discovers.[20] Man's view of himself and his activities is measured against the response of others. A complicated situation develops. Man has passed beyond the brute stage, where he simply satisfied his physical needs, into a stage where he lives by social rules that have developed in the absence of any lawmakers; that is, morality, in the form of social conventions, begins to affect human actions, but every individual remains his own judge of right and wrong, with vengeance as his sentence for wrong. This period, when man had the "dread of vengeance" over him, when man was losing some of his natural compassion but was developing his higher faculties, when man was "keeping a just mean between the indolence of the primitive state and the petulant activity of our egoism," would have been "the happiest and most stable of our epochs." This was because man had not yet developed a need for society or for the help of others; rather, he lived in associations merely because he found it convenient. But the pleasures of companionship would fall the moment one man found that he could use the efforts of another "to have enough provisions for two"; equality would disappear; property would be introduced; "vast forests" would become "smiling fields"; and, if others would agree to it, society would develop out of each man's wanting to protect whatever property he possessed.[21]

The final moment in the hypothetical development arrives as soon as the objects that command man's respect become those things that cannot be equally shared within associations of individuals. The discovery that one man can achieve desired goods

[19] *Ibid.*, 237-42.

[20] *Ibid.*, 242; Bloom, 532. The meaning of Rousseau's point becomes especially clear if compared with modern theory on role definition.

[21] *Inequality*, 241-44, 246.

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at the expense of another presents the final catalyst; outside of society, possession of those things which permit man to achieve the new, socially-defined self-respect would be retained only if one were physically able to prevent their loss. Man's desire for self-improvement, which is the source of his liberty, would direct him toward society at that point when life outside of society becomes so undesirable as to force him to conceive of an alternative existence in order to protect the possessions he has. Man could not go back to nature in order to change the competitive situation because of the development of his new values. It is in this context that "all ran headlong to their chains, in hopes of securing their liberty; for they had just wit enough to perceive the advantages of political institutions, without experience enough to foresee the dangers."[22] That act would come by chance, be facilitated by maxims, and would end with a government—man's "profoundest plan."[23]

II

Man would arrive at a point in his development which would require that he set forth rules and regulations for all of the members of a society so that they could live together with their new values; that is, man would need law in order to bring back the balance of drives which existed before secondary values emerged. "All we can know with any certainty respecting this law is that, if it is to be a law, not only the wills of those it obliges must be sensible to it; but also, to be natural, it must come directly from the voice of nature."[24] Its purpose is to set up for society the moral bases needed to replace natural naiveté and natural equality; to allow man "to bless the day which freed him forever from his ancient state, and turned him from a hunted and stupid animal into an intelligent human being"; to replace the natural state with

[22] *Ibid.*, 251.

[23] *Ibid.*, 250. For this paragraph, see Jean-Jacques Rousseau, *A Discourse on the Arts and Sciences* (hereafter, *Arts and Sciences*), in Cole, 158; Bloom, 515; *Inequality*, 247-48, 250-51, 254-55, 271; *Social Contract*, 254-55; Cassirer, 26, quotes Rousseau, from *Rousseau Judge of Jean-Jacques*, "Human nature does not go back."

[24] *Inequality*, 193; see also Bloom, 517.

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the civil liberty of "ownership of that which belongs to him" as it is curtailed by the general will; and to allow him to overcome appetite and to become free by obeying the law of society. Law does not eliminate either the basic drives or egoism, but it does free man from these impulses so that reason can be used to control his passions. It allows the "voice of duty" to replace instinct.[25]

Law obviously must be constructed in such a manner as to allow every citizen satisfaction of his physical needs (animal necessities). But more important, law must make it possible for man to overcome unrestrained egoism. Law must set forth rights (social advantages) and duties (obligations requisite for receiving the advantages) for those living in the association, and it must be as general as the will producing it, to assure that the form of granting privileges is general. It makes no difference, therefore, who sets up the law since it must apply equally to all people.[26]

Rousseau develops a hypothetical situation in which each individual who joins in the advantages of society is able to decide whether or not he wants to join. But to see just what is involved in the decision, consider what the situation must have been like. Whatever was agreed upon had to be acceptable to all, but the clauses in the agreement "may have never been formally enunciated, they must be everywhere the same, and everywhere tacitly admitted and recognized."[27] Just as significant as the wide-ranging meaning of the word "tacitly" is his explanation:

> Had there been no original compact, why, unless the choice were unanimous, should the minority ever have agreed to accept the decision of the majority? . . . The institution of the franchise is, an itself, a form of compact, and assures that, at least once in its operation, complete unanimity existed.[28]

It seems that the contract boils down to this: At that moment when people became obligated to social restraint, the existing patterns of informal association would be tacitly accepted; and

[25] *Social Contract*, 262-63, 267-68; Bloom, 519, 522.
[26] *Social Contract*, 285-88.
[27] *Ibid.*, 255-56; see also Cole, xviii.
[28] *Social Contract*, 254; see also James M. Buchanan and Gordon Tullock, *The Calculus of Consent: Logical Foundations of Constitutional Democracy* (Ann Arbor, 1962), chap. VII.

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these would become to each individual a guarantee that the dread of vengeance would be replaced with law by converting into law those rules that had already developed informally. The "happiest and most stable" period would be preserved. The compact or contract, by its mere acceptance, would have the approval of the general will.

This agreement entails giving up everything to the state, but also getting back everything that one has a right to own. "The Community actually establishes claim to its legitimate ownership, and changes what was formerly mere usurpation into a right, by virtue of which they may enjoy possession." The state can take back anything and always has the exercise of the sovereignty of the community, "but the social order is a sacred right which serves as the foundation of all other rights."[29] Rousseau only guarantees the preservation of the social system as it "naturally" developed through the establishment of rule by law, and, as his major addition, establishes a set procedure for making necessary changes and adjustments. That is, one's basic right is to the *status quo*, and any further change must be handled under the law or, if you will, the constitution.

The general will, for Rousseau, is the will of the community. Since it is the basis of willful acts for the entire community, it cannot be equated with the particular wills (self-defined interests) of members of the community. Instead it is the representation of those things that must be in the common interest of all; it is therefore always a guide to the general advantage of the community. Rousseau emphasized one point about the general will: it must in no sense be merely an expression of any person's or group's particular interest. When he suggests that the general will can be determined by taking from the expressions of separate wills "the pluses and minuses—which cancel out," he is not saying that we must ignore those people with particular interests and let the rest decide. Rather, he is asking us to find a way of expressing the general will which will allow people to overcome their particular desires and take that which remains and can be agreed upon as the will of the community.[30] Similar to James

[29] *Social Contract*, 240, 261, 267.

[30] *Ibid.*, 274, 278-79; Jean-Jacques Rousseau, *A Discourse on Political Economy* (hereafter, *Political Economy*), in Cole, 291.

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Madison's reasoning in *Federalist* Number 10 concerning the problem of conflicting interests in the decision-making process, Rousseau feels that the likelihood that a decision will be in the general interest increases as the number of particular wills involved increases and as public deliberation increases.[31] The problem of achieving the general interest is solved by making it difficult for any particular will to impose itself as the general interest. If the decisions resulting from confrontation of political interests enables the various groups to accept the decision as the best common agreement possible, then it will be a decision in which all can consent.

The general will is the common interest by which a people is bound.[32] At some point in all socially cohesive groups, there must be some areas of agreement or there would be no recognized entity. This point was used by Rousseau to emphasize that whatever that agreement was, it was general and should be preserved, since it was the agreement that would allow man to maintain himself in a post-brute stage. The general will and, to be sure, the contract itself are social agreements, not governmental agreements. And their real function is social: the general will is to furnish the moral basis for society. Since the common existence is *tout court* in everyone's particular interest, and since the common bonds are therefore essential to everyone in society who wants to maintain and expand his own interests, the obligations and duties are established by the common interest as necessary, and they must be heeded if anyone is to receive any rights.

> Instead of giving anything away, he makes a profitable bargain, exchanging peril and uncertainty for security, natural independence for true liberty; the power of injuring others for his own safety, the strength of his own right arm—which others might al-

[31] *The Federalist* (New York, 1937), 55; *Social Contract*, 175; *Political Economy*, 291. See also George Kateb, "Aspects of Rousseau's Political Thought," *Political Science Quarterly*, LXXVI (1961), 525. Theodore Lowi equates the modern American pluralistic model with an expansion of Rousseau's model in "The Public Philosophy: Interest-Group Liberalism," *American Political Science Review*, LXI (1967), 15.

[32] *Social Contract*, 269, 277-78, 281; see also C. E. Vaughan, *The Political Writings of Jean Jacques Rousseau*, 2 Vols. (New York, 1962), I, 46.

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ways overcome—for a right which corporate solidarity renders invincible.[33]

The general will is, then, the will of the community as the common interests would dictate; the obligation to adhere to the general will makes man a moral animal. For the sake of all personal interests that obligation should be enforced. If it is not, man would lose his ability for self-improvement in society by giving up his morality. It makes good sense indeed to force men to be free, that is, to force each man to accept the general will as his own. Otherwise, the society would be sanctioning immorality and would allow an individual to act against his own interest (self-defined). The adherence to the general will does not remove one's self-interests; it merely sets parameters on them. Further, these limitations on an individual's freedom were shown—according to Rousseau's psychology—to be the result of man's (not society's) nature.

Rousseau's construct has two purposes: (1) to make clear that the obligations established are in the general interest and would not have existed had not men seen that social living was a good bargain; and (2) to show that the government established to administer the general will is legitimate if that government itself adheres to the bargain. That is, so long as the government rules in a manner that is accepted as in the general interest, it is legitimate. In order to obtain "legitimacy" for one's individual possessions and social rights, one would grant legitimacy to the government's activities.

The government's purpose is to maintain the general will, to give the general will particular expression within society. By granting this power to the government, the people (who always retain the sovereignty) give to others the obligation to rule (the right to exercise sovereignty or to give particular expression to the general will). By a simple act of the general will the form of government is decided with the establishment of law. The people set up the form of government, but they do not directly nomi-

[33] *Social Contract*, 281. See also 269, 280; *Political Economy*, 289-91; Cole, xviii; William T. Bluhm, *Theories of the Political System: Classics of Political Thought and Modern Political Analysis* (Englewood Cliffs, N.J., 1965), 365; Bloom, 524, 529, 533.

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nate the actual rulers, since this would be a particular act and therefore a function of government (unless, of course, the form selected were a democratic one). Although the legitimate government must be based upon consent, this need not be formal consent; "general silence may be held to imply the People's consent."[34] Even when consent is formal, it can be expressed only in response to two general propositions: "That it please the sovereign to uphold the present form of Government," and "that it please the People to leave the administration in the hands of those who presently conduct it." While this limitation constricts the normal democratic interpretation often given to Rousseau, it does not eliminate all popular control: "For should all the citizens assemble for the express purpose of breaking this pact by common accord, it would undoubtedly be broken by due form of law."[35]

Rousseau has given us an argument that justifies the maintenance of the *status quo* with one limitation: if the people in the system are generally dissatisfied with the government, they could desert the agreement. In fact, Rousseau's clearest measure of the strength and rightness of the laws of a government (and, thus, the adherence of the lawmaker to the general will) is whether the same laws have existed over a long period of time—that is, whether the *status quo* has been maintained.[36] This position shows clearly the role Rousseau assigned to the general will. It was to be the basis for the government's actions and for the obligations members of society have to each other. The consensus on what is in the public interest should determine what the government will do and why the people should obey. And once this is established, any changes must be the result of changes in circumstances.[37]

It is clear that Rousseau would not have accepted every government as legitimate; a government can rule in its own interest and can ignore the general will. But this fact must be couched in

[34] *Social Contract*, 270. See also 253, 259, 289-90, 292, 364, 378-79; *Poland*, 15, 26, 55-56; *Political Economy*, 289.

[35] *Social Contract*, 382-83; see also 364-65.

[36] *Ibid.*, 292-97, 304-08, 310-11; *Political Economy*, 296; *Corsica*, 282-83, 290-91, 320; *Poland*, 2.

[37] Rousseau's discussion of the function of the "legislator" makes clear that the general will depends upon accepted customs and other empirical factors; *Social Contract*, 297, 304-08; *Inequality*, 180; see also Bloom, 527-28.

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the framework Rousseau established. If a government acts in its own interests as a government (the corporate will) or for the personal interests of its members (particular wills), the people could see that the compact was voided and could revolt.[38] Even if the people fail to react on their own when the government rules in its own interest, the situation is ripe for a revolution—it needs only a catalyst. Although the corporate will is necessary for stability, it must be balanced against the general will so as to give as much sway to the general interest as possible. The government's task is to uphold the balance in order to maintain the sense of obligation among the citizens.

The obligation to obey can be and is broken when the people no longer accept the compact. But the results of such a rupture are undesirable; the overall loss to the people is too great to contemplate. Rousseau felt that wise rulers would recognize the threat of revolution and would reform (this kind of change would not be disruptive since it would be a return to customs and traditions). If a government acts in such a manner as to force revolt (say by depriving man of such essentials as food and clothing), the results would be in no way pleasant:

> People once accustomed to masters are not in a condition to do without them. If they attempt to shake off the yoke they still more estrange themselves from freedom, as, by mistaking it for an unbridled license to which it is diametrically opposed, they nearly always manage, by their revolutions, to hand themselves over to seducers, who only make their chains heavier than before.[39]

Rousseau's point cuts both ways: (1) he warns the government that it must rule according to the general will to avoid the possibility of a revolution, and (2) he warns the people that a revolution should not be taken lightly since most probably it will not improve their condition and often it will lead to an even worse situation.

III

By specifying which acts of government are legitimate and which activities are essential for maintaining this legitimacy, Rousseau

[38] See *Social Contract*, Bk. III, chaps. i-iii.
[39] *Inequality*, 178.

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was able to analyze how to avoid the chaos that follows the breakdown of social bonds. It is here that we begin to see more clearly what he meant by legitimacy and why he felt that legitimacy was the central political problem. To maintain its legitimacy a government should give expression to the general will by applying it to particular situations so that each individual in the system can understand its meaning. Once he understands the general will, it becomes possible for the individual to improve himself by internalizing the general will as his own. But the desire for self-improvement in areas where man competes for scarce resources would lead to mutual harm. A legitimate government allows the individual to accumulate something that will not injure others and that will satisfy his drive for recognition by his fellows. This something is patriotism. When man gives up his acquisitiveness of learned-to-be-valued things for mutual trust, he fulfills his human potential with security of his person. Man can accumulate social virtue in quite naturally based manner.

Let us, then, look at five generalizations from Rousseau which suggest ways to maintain social cohesion and to allow citizens to develop virtue. These propositions are expressed in terms of how to maintain a strong concord in society: "Everything that disrupts the social bond of unity is valueless. All institutions which set a man in contradiction with himself are of no worth."[40] This point, here quoted from a discussion of civil religion, is everywhere apparent when Rousseau discusses particulars. The consensus (or general will) is stated as an ideal type and, therefore, Rousseau did not expect to achieve full agreement in any society; but he presents the ideal type as the proper goal for every society.

The first of the propositions is: *A high level of political participation increases the commitment to the general will.* The larger the number of people actually involved in the process of government (directly or indirectly), the stronger will be their feelings of attachment to the system.[41] This particular generalization has two dimensions: (1) participation increases the generality of the

[40] *Social Contract*, 431. On patriotism and education, see Claude E. Ake, "Right, Utility, and Rousseau," *Western Political Quarterly*, XX (1967), 9, and Shklar, 34-35.

[41] *Poland*, 4, 7-8, 12; *Social Contract*, 373, 435-38.

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agreement, and (2) it increases the individual's attachment to the outcomes from the decision-making processes.[42] Also: *A high faith in the political leadership increases the commitment to the general will.* The leadership role also has two dimensions: (1) the leaders must be selected on the basis of their service to the state (such service being easily recognized and estimated by the people), and (2) the leaders must be able to explain the general will in a manner that allows each citizen to see why each particular decision is in his own interest.[43] According to Rousseau, the way a government could guarantee its demise would be to ignore the physical needs of the citizens.[44] This brings us to our third generalization: *A minimal physical satisfaction for animal (unlearned or natural) needs must be maintained in order to maintain the commitment to the general will.*[45] The government must make sure that economic inequality never becomes too great, for great disparities among citizens would raise questions about the validity of social restrictions.[46]

The key to preserving the general will is the educational process. The purpose of education is to teach virtue, that is, the obligation to obey the law. The many channels available for teaching virtue would include the family, the school system, the office of the censor that "interprets" public opinion, national holidays and symbols, national dress and customs, and even national sports. The government serves as the link between each citizen and morality. Since morals are interpreted as the state interprets the general will, the moral life is to follow that interpretation. One therefore increases his own virtue as he becomes more patriotic. The study of morals—which might lead to questioning them—is a community's undoing, while living a Spartan life becomes Rousseau's model of virtue. To be sure, Rousseau argues that the people themselves are the proper judges of the general will's mean-

[42] *Corsica*, 286, 310, 326-27; *Social Contract*, 387; Watkins, xvii-xviii; Shklar, 38.

[43] *Inequality*, 179, 265 n.; *Political Economy*, 300; *Corsica*, 288, 302, 319, 321; *Poland*, 9.

[44] *Political Economy*, 290.

[45] *Ibid.*, 287, 303, 311; *Social Contract*, 312-13; Alfred Cobban, *Rousseau and the Modern State* (Hamden, Conn., 1964), 97.

[46] *Political Economy*, 316-22.

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ing, but he believes that no government could educate the people to accept its interpretation of it if the government were not acting in the general interest. Thus: *An educational system directed toward inculcating the system's moral values increases the commitment to the general will.* Rousseau's willingness to allow the government to teach morality so that there would exist a control over man's passions is underlined by his position on religion. For him the function of religion was to increase the social bonds, to strengthen patriotism, to reinforce the acceptance of the duties of citizenship.[47] Our final generalization, then, is: *A high level of compatibility among the religious values in a system and between the religious and political values increases the commitment to the general will.*

The five generalizations share one common characteristic, the goal of stability. The form of the statements indicates that no particular kind of government must be established. This point is emphasized by Rousseau writing as "legislator" to the people of Corsica: "No matter what object the Corsican nation may have in view in forming a constitution, the first thing it has to give itself, by its own efforts [is] all the stability of which it is capable."[48] The form will be determined by the conditions of the country, the real task being to determine which form best serves the country's needs. Rousseau gives practical warnings that suggest certain circumstances in which one form is better than others for reaching his ideal of legitimacy. Smaller countries do not stretch the social bonds; federalism allows local values or particular wills to exist without causing conflict with the general will; deliberation (which increases the possibility of reaching a general will in decision-making) increases the possibility of reaching acceptable decisions; and, in the same vein, mixed governments facilitate reaching acceptable decisions.[49] Rousseau recognizes that there are various ways to establish a legitimate gov-

[47] *Ibid.*, 295, 298-301, 307; *Inequality*, 263-64; *Social Contract*, 316, chap. vii; *Corsica*, 292; *Arts and Sciences*, 152-58; *Poland*, 11-12, 45-48, 56; Strauss, 257, 259; Cobban, 53; Ake, 9-10; *Social Contract*, 432-39; *Inequality*, 260-61; Jean-Jacques Rousseau, *Emile*, trans. Barbara Foxley (New York, 1911), 258-78; Cobban, 48-51, 53, 55.

[48] *Corsica*, 280.

[49] *Poland*, 15-16, 23, 34, chap. viii; *Social Contract*, 300-01; Cobban, 45-48.

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ernment and that, because of the importance of maintaining stability, any change must be slow and deliberate even if the change is directed toward the proper goal of increasing the public agreement.[50]

Since the pleasures of a country are known only to the citizens —each of whom can weigh his own chains—since a government that ignores the common good foments its own demise, and since what might be best in one circumstance may not be in another, there is only one way to know whether a government is legitimate, and that is to know what is in the hearts of men.[51] It is in the hearts of men that the necessary agreement and the mutual trust, both of which are requisite for legitimate rule, are found.[52] It is there that the consensus can be broken.

It was Rousseau's difficult assignment to the legitimate government to identify the general will, to maintain it as new circumstances occur, to identify real needs and to satisfy them, and, when necessary, to direct further development of the general will —provided that consensus and morality are maintained. Change, obviously, would be a factor for governmental consideration, but it should never be allowed to disrupt the social bond. This requires that the government weigh changes carefully; it does not require that changes be avoided.

Rousseau was not concerned with identifying a particular form of government as intrinsically best; indeed, he thought that such a task was impossible when dealing with real governments, since no pure forms of government ever existed and since legitimacy for any government is relative to the requirements of those living within the system.[53] He did concern himself, however, with the important question of how governments are legitimated, and he showed on what basis this process is justified. Any government that preserves the morality of its people by ruling according to the general will and that maintains the self-respect of the people

[50] *Poland*, 18, 66-69; *Social Contract*, 288-89.

[51] *Inequality*, 255-56, 267-88; *Social Contract*, 246, 308-09, 385.

[52] This can be measured by tapping attitudes on this attachment, as in Gabriel A. Almond and Sidney Verba, *The Civic Culture: Political Attitudes and Democracy in Five Nations* (Princeton, 1963), 266-73.

[53] *Social Contract*, 329-30, 355-56.

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is legitimate. Any person who accepts the general will, as expressed in particular form by the government, as his own is virtuous. Complete legitimacy is impossible because of the difficulty of uncovering the general interest in a constantly evolving social situation; and total virtue is illusive because the individual can always become more patriotic.

These goals of legitimacy and virtue were to be pursued in light of the overall goal of achieving consensus as the proper social foundation. Rousseau did not tell us what should be *the* consensual values, but he did tell us two perhaps more important things. He told us how a system is justified on the basis of consensual values, and he told us how and why these values should be maintained. It is only through correct identification of man's drives and potential outlets for these drives that individuality and social necessity can be reconciled. Empirically discernible conditions set forth the social context within which one must analyze the ideal type that provides for this reconciliation. This ideal type is the goal of achieving consensus. The dilemma of man's conflicting drives is thus resolved and an answer can finally be given to man as to why he, a free agent, must bear social chains: the answer is that he must do so for the sake of his own freedom.

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Roosevelt and Frankfurter: An Essay Review

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They were born in the same year—1882—Roosevelt on an estate in the Hudson Valley, not far from the village of Hyde Park, Frankfurter in Austria. They had different beginnings. Roosevelt's early training was entrusted to governesses and tutors; Frankfurter was sent to German-speaking schools until his parents brought him to the United States when he was twelve. At that time he spoke no English at all; nevertheless he graduated from Harvard's Law School in twelve further years. This was much earlier than Roosevelt, a leisurely Harvard undergraduate who several years later finished his education at Columbia's Law School without taking his degree.

This contrast is characteristic. Roosevelt's way was made easy: he developed slowly, his social life was more important than his studies, and his clerkship at Carter, Ledyard and Milburn in Wall Street carried no sense of dedication to the profession. Frankfurter consumed his books fiercely, progressed rapidly, and by the time Roosevelt got started, was already an assistant to Henry L. Stimson, then district attorney for southern New York.

They had never met at Harvard; Frankfurter was already studying law while Roosevelt was contending for class offices and editing the *Crimson*. Roosevelt did not stay long in the city. He

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escaped into politics at the first opportunity, going first to the state legislature and then to Washington as assistant secretary of the navy. It never can have occurred to Frankfurter that he might be a candidate for elective office. He had a very different kind of ambition, one that was fulfilled when he returned to Harvard as a member of the law faculty. But in 1917, with war impending, he took leave and became counsel to the President's Mediation Commission and later chairman of the War Labor Policies Board. At this time both had offices in the old State, War, and Navy Building and sometimes visited each other. They even had mediation business in common when Roosevelt had trouble in the Navy's yards; and soon their acquaintance reached a first-name basis. When peace came, Frankfurter returned to his professorship and Roosevelt became a candidate for the vice-presidency in 1920.

It was when Roosevelt came back to New York City after his defeat that Frankfurter wrote the first letter cited in Freedman's book.* It began "Dear Franklin," and it welcomed Roosevelt back to the practice of law. But, of course, later in that same year (1921), Roosevelt was so severely stricken with polio that he seemed to be permanently incapacitated for further activity of any sort, and certainly for political life. It is evident from Frankfurter's distress that he had already begun to regard Roosevelt as the gallant figure he continued to see all his life—a kind of prince, not to be judged by ordinary standards. He was delighted to discover, during a visit somewhat later, that reports of permanent retirement were false. He found the patient struggling to recover and obviously looking forward to further participation in public affairs.

The letters became more frequent when Roosevelt, against his better judgment, was called from convalescence in Warm Springs to be the nominee for the governorship of New York in 1928. Al Smith, it will be recalled, running for the presidency in that year, hoped Roosevelt would carry the state for the Democratic ticket. He did, of course, but for himself only, not for the national candidate.

* *Roosevelt and Frankfurter: Their Correspondence, 1928-1945* annotated by Max Freedman. Boston, Atlantic Monthly Press-Little, Brown, 1968.—772 pp. $17.50.

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From the beginning of Roosevelt's governorship Frankfurter began to think of him as the hope of the Progressive cause and his notes and letters became markedly warm and sympathetic. Indeed they verged on an adulation that later became more extensive than any other sustained public correspondence on record.

The letters eventually would run into the hundreds and extend to one written in March 1945, less than a month before Roosevelt died in Warm Springs. There are several interludes in that stretch of years when their frequency was less. They arrived most often when Roosevelt began his move toward the presidency, and again when Frankfurter was asked to be responsible for drafting New Deal legislation, especially that reforming financial institutions and controlling the securities markets. Another group of letters had to do with the oncoming war as Americans showed a stubborn reluctance to intervene. But they never omitted encomiums for whatever it was Roosevelt was doing.

As they continue, it becomes more and more obvious how different the two personalities were, but at the same time how closely they agreed as American Progressives. Frankfurter was an ardent disciple of Brandeis; Roosevelt had his progressivism from his most admired political elders, notably Theodore Roosevelt, whose career he had watched closely as a young man and who was known to him as "Uncle Ted." Frankfurter followed legal courses but Roosevelt was first a politician in pursuit of office. His experience in the Navy Department and his four years in the governorship of New York gave him an administrative experience Frankfurter did not have; but he could not possibly have taught Frankfurter's classes at Harvard. Their relationship was an illustration of the need an academician has to find a leader he can support, and perhaps help, in accomplishing what he knows very well he could not hope to see accomplished otherwise. Professionals must be persuaded, nominations must be captured, elections must be won; and these are arts known only to politicians. When, however, power is achieved, supporters may work through their political hero for the ends they have in view. Brandeis had invented the New Freedom for Wilson and had helped him to formulate a spate of Progressive legislation; Frankfurter saw a new opportunity to carry on in the same way with Roosevelt.

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There is reason to believe that Brandeis, now a Supreme Court justice, encouraged him in this and was, indeed, the younger man's constant encourager.

I

It will be recalled that there was a strange difference in emphasis between Roosevelt's beginning policies as president and his later ones. The first efforts had a collectivist character; the second were more in the Brandeis strain. He began by pushing for the Agricultural Adjustment Administration (AAA) and, more especially, the National Recovery Administration (NRA). These were attempts to rationalize and modernize the two great areas of modern enterprise. When the Supreme Court rejected these efforts, he remarked angrily that the decisions were returns to horse-and-buggy principles; but when he thought it over, he decided not to persevere.

As he studied the depression, he developed a suspicion that neither trust-busting nor regulation could reactivate economic activity; indeed he saw the paralysis as having been caused by these policies, since free enterprise was by definition directionless. The diverse energies of the economic system had wasted themselves in confrontations. Financiers could allocate capital for their own profit without any consideration of public purpose; and potential customers were not allowed the income necessary for the continuity of production. When industry shut down, there was unemployment; loans made by the banks could not be repaid. Deprivation and bankruptcy characterized the loose and undirected economy favored by the Progressives.

At the least, he felt, the system needed to become a *system;* but this was anathema to those with whom Roosevelt had hitherto always felt himself allied. Brandeis had gone so far as to excoriate bigness as a positive evil to be rigorously suppressed. This was the animus behind the Court's rejection of the New Deal rationalizing efforts. If at first Roosevelt reacted angrily, he soon desisted and surrendered to the orthodoxy he had thought might be modified. From then on he was a reformer but not a reconstructor. It appeared later, of course, that he had not forgiven or forgotten.

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Curiously, in these episodes Frankfurter, so far as is seen in the letters, made no forthright comment. He continued to express admiration and to sympathize with presidential difficulties. Their association was evidently of a different kind than is assumed among what can only be called a Frankfurter following. One of the tenets of Roosevelt scholarship, in this view, is that the President's behavior was definitely and persistently influenced by Frankfurter. There is no doubt that he contributed to Roosevelt's interest in life, to brightening his outlook, to encouraging his faith in himself. He always praised, even flattered, but he almost never warned or hinted at trouble. There is no doubt that they had the same objectives. But on Roosevelt's deviation from faith in laissez faire (combined with regulation) as over against the collectivization Roosevelt believed to be necessary, they were far apart. It is probable that Frankfurter, in spite of distressing moments, was certain of Roosevelt's finding out that the going would be too heavy in any attempt to rationalize American enterprise and that he could be trusted to follow the line of great reformers—Theodore Roosevelt, LaFollette, Norris, and the rest. That, at least, is how it turned out. But none of this appears in the letters.

The correspondence took a curious course late in 1933 when Frankfurter went to Oxford as Eastman Professor for a year. From there he wrote voluminously, mostly about the British reaction to American events, once even sending Roosevelt an advance copy of J. M. Keynes' "Open Letter to President Roosevelt" which was to be published in the New York *Times* on December 31. This seemed more important to Frankfurter than it did to Roosevelt, who barely mentioned it in his letter of reply. "You can tell the Professor," he said,

> that in regard to public works we shall spend in the next fiscal year nearly twice the amount we are spending in this fiscal year, but there is a practical limit to what the Government can borrow—especially because the banks are offering passive resistance in most of the large centers.

Roosevelt was somewhat less than enthusiastic about receiving from Keynes the advice to do what he had already been doing for some time.

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The impression from the whole body of Frankfurter's communications is that he went everywhere, knew everyone, mixed in many affairs, and all the while kept up a sort of running report for Roosevelt's benefit. His correspondence with others was immense, too—something not apparent from this collection. The various positions he occupied were strategic for such purposes. They were demanding ones and might be expected to have kept him too busy for the cultivation of so many interests; but they did not at all have that effect. They rather made taking-off places. His bird-like physique somehow supplied an inexhaustible energy. He cannot be called profound, but he was very smart, very formidable in controversy, very helpful to myriads of his contemporaries. It will be recalled how active he was, for instance, in behalf of Sacco and Vanzetti, whose cause was enhanced by the intervention of a Harvard professor.

Amazement at the range shown even in these letters is somewhat modified when one remembers that actually his successive positions offered him a certain freedom. This was especially true of his long professorship and his twenty-three years on the Court. (He had refused the solicitor generalship but had taken the Court appointment in 1939.) Both these institutions recessed for precious summer months, and the university allowed sabbaticals as well as leave for visiting professorships and interludes of public service. The getting around, then, was not so remarkable, but there still must be wonder about the number of his acquaintances and the continuous involvement in the affairs of others. He did tend, however, to center on public figures and causes; and this limited the area of his activity. Then, of course, there was the law. But politics and law led to roughly the same place and mostly included the same people. Still it made an immense company.

Roosevelt, in a different way, had amazingly varied interests, and cultivated many people through whom he acquired a detailed intimacy with the whole country. Most of this gathering of information and keeping in touch with people was useful in pursuing the political career of a professional as well as in the furtherance of the causes he believed in. But he, too, had his concentrations. During the interval between his defeat for the

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vice-presidency and his election to the governorship of New York (1920-28), for instance, he began and kept up—with the help of Louis Howe, the Albany newspaperman who had adopted him at first sight—a persistent correspondence with local political leaders in every state. None of those who were later his rivals thought to do that; and when the time came, he was so obviously the best known Democrat that, at forty-eight, he, and not Smith, not Ritchie, not Byrd, not any of the others, was regarded as the first among Democratic elder statesmen. When his rivals in the bid for the nomination in 1932 came right down to the challenge, they could not sustain their opposition. He went to Chicago with a committed majority of the convention's delegates, and, although two-thirds had to be accumulated, it was not hard to make a deal with Hearst and Rayburn for the rest. Garner was not a Progressive favorite; but the party was not a Progressive party. Roosevelt meant to make it so; but first he had to become its leader.

Frankfurter watched these developments with growing hope and with no doubts. Roosevelt would gather power and then it would be seen what could be done with it. Of most use all during this process were cheers, not carpings. Many other contemporaries—Lippmann among them—who might have cheered, too, were cynical about political maneuvering and distrustful of Roosevelt's intentions. But Frankfurter never wavered and occasionally his notes and telegrams fairly glowed with delight. On March 1, 1933, as Roosevelt got ready for the journey to Washington, there was a typical exchange. Frankfurter's letter: "As you go forth to take the helm of the Ship of State, I bid you—Godspeed." Roosevelt's reply: "Your letters are always a joy—saying so much in so few words. You know how much I appreciate your good wishes. I shall see you soon."

Roosevelt's brief answers uniformly asked for more. And sometimes he requested more than praise. He often needed legal advice when he was governor of a state behaving responsibly in behalf of its electorate; but it was when, as president, he moved in on the old dragons in Wall Street, that Frankfurter became most useful. But his help was asked for by Roosevelt, not volunteered.

The evidence for this was a surprise to the editor of this volume. Long after the New Deal was under way, Frankfurter in one letter

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recommended an appointment which, he said, was the first unsolicited one he had ever made. The catch, of course, was in the word "unsolicited." The fact was that by then literally hundreds of Frankfurter disciples were scattered through the Washington agencies. There was, later on, an exchange about this with Moley, who answered a protest by saying to Frankfurter that he may not have been the master of all these young men, but that they were undoubtedly his disciples. And, of course, they were.

It can be seen well enough from the letters that Roosevelt, if more experienced, did not have the intellectual interests of the legal scholars. It seemed to old Justice Holmes, in fact, after a talk with Roosevelt, that he did not have a first rate mind. But Holmes also remarked that the new President did have a "first class temperament" and this must have meant to the Justice a reaching out to do well. It passed for shrewd observation; but it was not shrewd enough. Roosevelt, underneath, had intentions he meant to further, arrived at not by hard application to legal—or any other—discipline but by the mysterious development of a generous humanity. Also the processes of his memory gathered and stored masses of practical knowledge. What Holmes did not perceive was that these accumulations were grouped about a set of plans for the nation. These were hidden. They would not have been approved either by his Progressive associates, lost in their dreams of a laissez faire utopia, any more than they would by the politicians he meant to use in their furtherance. But they were there; and in his own time and his own way they would be implemented. Better than most of his contemporaries, Frankfurter sensed this and refused to be annoyed by the methodology of achievement.

It seems not exactly natural, but not too strange, that two such individuals, living concurrently, should have generated between them so long a correspondence, available for gathering into a compendium. Mr. Freedman has gathered it, with loyal labors, and it proves to be indispensable even if it need not be interpreted in everything as he seems to think it must.

It is not readily apparent, for instance, why they should have had the same dedication to the public weal. Roosevelt, the carefully nurtured scion of two upper-class lines, might well have

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turned out to be another Ogden Mills—his neighbor a short way up the Hudson—and Hoover's secretary of the treasury. Frankfurter, the son of Jewish immigrant parents, might have become an able—and wealthy—corporation lawyer. Both chose differently, each in his own way, and their talents were nicely complementary. But if Frankfurter had not had that nagging urge to keep in touch, to cultivate Progressive friends, to influence public policy, the active courtship of Roosevelt would not have begun; and, if Roosevelt had not been responsive, it would not have been kept up and have had such important results.

II

There had been intimations of a closer relationship when Frankfurter renewed his communication with Roosevelt in 1921 and saw that, however cheerful he may have seemed, he was making his way through a very bleak and trying passage. The courage Frankfurter saw moved him and deepened his admiration. This was well along in life for both; they were well into separate careers; and the forties are late for acquaintances to become friends. Perhaps this relationship ought not really to be called intimate, but it was something more than a convenience, even to Roosevelt. Even the initiatives cannot all be said to have been Frankfurter's, although most of them were. Roosevelt was undoubtedly over his head much of the time, and never more deep in uncertainty than during his life as governor when the presidency loomed ahead. He found it easy to go on with the Smith welfare and conservation programs. These required no puzzling decisions, but he also had to work out such difficult policies as yard-stick positioning of public utilities. Somewhat later he would be faced with a worsening depression. And what could he expect to do, if he became president, about a deepening national paralysis that apparently was understood by no one?

Frankfurter could help in defining the application of progressivism to utilities; he had only to pass along the Brandeis conclusions with some practical additions of his own. But a breakdown of the whole business system was no more in the Progressive book than it was in Wall Street's. Few individuals in either

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school even recognized it for what it was until it was too late for any effective action even if they had had the least notion of how to act.

About the Depression, then, Roosevelt got no more help from Frankfurter than he did from confused economic and business advisers. Trying to meet the crisis in New York State without federal help, as his political instinct told him he ought to do, he found that, since the problem was national, one state was inevitably overwhelmed. He had to retreat from over-bold proclamations of independence. He had spoken of a state pay-as-you-go relief system, but had had to authorize bond-issues when the crisis of unemployment deepened, thus deferring payment to a later generation. It was a hard lesson, and it taught Roosevelt something, if not enough. The Progressives in the Brandeis strain, however, were not diverted from their agenda. They continued to make a cheerful identification of recovery with reform, and Roosevelt recognized this diversion as the only feasible political posture.

This was in spite of the alternative offered by certain other Progressives, led by LaFollette and Wagner, who kept saying that heroic measures were needed and offered legislation to implement them. They were in sharp disagreement with the orthodox. We know now that Roosevelt understood reform to be irrelevant, or, at least, not enough. Frankfurter's support was certainly accepted with reservations as he came bearing messages from Brandeis. Mr. Freedman found no correspondence to this effect, and concluded that the Brandeis influence had been exaggerated. But those who worked with Roosevelt during that early time were well enough aware of it. It happened to coincide with the professional politicians' advice during the first campaign. That Roosevelt gave in to it and adopted the reform of banking and the securities markets as a cure for the depression was understandable even if not exactly honest. A combination of Progressive and professional political support was too fortunate for any candidate to resist. It would elect him. Then he would see.

This was Frankfurter's least useful period, but he kept up his encouragement and Roosevelt continued to accept it with appropriate gratitude.

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III

When Roosevelt became president and tried to make Frankfurter solicitor general, his offer was refused. Until he was appointed to the Supreme Court in 1939, he remained a voluminous but private correspondent on any and all subjects, but especially on the completion of the long-delayed Wilsonian agenda of reforms. Perhaps his most notable service in this was one whose dimensions it is possible to gauge only in part. It was well enough known even at the time that Corcoran, Cohen, and most others in NRA and AAA were suggested for appointment by Frankfurter. The total of these will never be counted—because of an inherent multiplier. Corcoran and Cohen urged candidates for legal and administrative posts in proliferating agencies of the New Deal, but so did these others. In the end it was an immense company, intelligent, combative, ruthless, exclusive, and disciplined by the hard Brandeis orthodoxy.

General Johnson's irritated characterization of Frankfurter as the most powerful man in Washington after he himself, a Baruch man, had been ousted, was made years before Frankfurter had left Harvard for the Court and was still maintaining his academic pose of non-involvement. The fact was, as everyone knew, that there were hundreds who looked to him for guidance. He did have influence, if not power, and of a formidable sort.

This spreading followership still looked to him after he became Justice Frankfurter. Moreover, his direct contacts with Roosevelt were not diminished, but increased; there was less writing, but more talking. Many wartime issues naturally excited him, since the enemy so obviously revolted decent democrats; and a heavily burdened president could use a supporter who was a Supreme Court justice.

For the relationship during this period the word "confidant" might seem appropriate, but Frankfurter was, in fact, never quite that, not in any full sense. Roosevelt never really confided in anyone unless he needed advice or assistance. About what he meant to achieve for his country—and for the world—everyone had to make his own guess, and without reliable indications. This, again, was the technique of a politician who never gave his enemies warnings they might use for circumvention.

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How much he got of what he meant to get we do not know, even yet; at the time no one could do more than guess what he intended. The most knowledgeable watchers were often misled. Frankfurter was extremely cautious about making such guesses, but he sent a bouquet of compliments whenever there was action. His faith that whatever was done was leading to a good conclusion was fixed—until, as will be noted, almost the last, when he had doubts about arrangements for the peace.

In January of 1937, when the Supreme Court reorganization effort was about to be made, Roosevelt wrote a note of thanks for the gift of Frankfurter's just-published book on the commerce clause. It is easy to picture a tired president dictating to Missy LeHand its brief sentences, perhaps late at night, in the upstairs oval room: "Thank you ever so much for that delightful little book which sits beside my bed. I am glad to have it. I am glad you liked my speech yesterday. A very happy New Year to you and Marion. I hope to see you soon." The speech was the second inaugural, and although Frankfurter was in Washington for the ceremonies, he had sent a telegram: "You did better than God today. Your inaugural hit me where I lived. I go back to cold Boston with faith, confidence and hopes strengthened." The reference to God was bad management of the weather. It had been miserable, but the inaugural had illumined the day.

Later that spring the last of the New Deal legislation was asked for—the Wages and Hours Act. It was fully in the Progressive strain and Frankfurter sent a wire: "T.R. would have said 'bully' to your message. May I? With warm regards." And by fall Roosevelt's approach to intervention in Europe became more forthright with his "quarantine" speech in Chicago. That was on October 5; on the twelfth he called a special session of the Congress and at the same time conducted one of his fireside chats. Of this a Frankfurter telegram said: "You could not have taken the country to school better. Just right in direction and detail. Very satisfying. Affectionately." The warmth was increasing.

There were very few people left now who addressed Roosevelt as "Frank," but many of Frankfurter's letters began that way, although some began with the more restrained "Mr. President."

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One of the "Dear Frank" letters (in May 1938) after a visit to the White House began with these now-characteristic sentiments:

> First and foremost I want to tell you what deep joy Marion and I carried away in finding you so fit. I wish I could put into adequate words the sense of serenity that everything about you conveyed. With some knowledge of American history, I had the feeling that not since Lincoln has the White House had an occupant with such imperturbability of soul.

Roosevelt is still supposed to have had those he really did confide in: Howe, Hopkins, and Rosenman, particularly, all of whom were, of course, members of the household, even if they served rather than advised. Actually neither Howe nor Hopkins was so close as is usually thought. Roosevelt was casually tender with both, but they both died guessing what his great scheme included. They had much of their usefulness because they did not probe. This was as true, too, of Frankfurter as of the others. He never had more than glimpses of the grand strategy.

If the writer may make an observation of his own, recalling his last conversations with Hopkins, this very trait was spoken of. Hopkins said he could see what the man did; sometimes he even knew what was about to happen. But from where it had come and what part it was of a pattern he did not know for sure; he could only guess. What he had come to believe, however, was that something of magnificent proportions was there and was being worked out.

Hopkins was then very ill. The conversation, in fact, was at his bedside in the old Naval Hospital. It was a time when many things were coming to an end, and Hopkins was casting up. There were vast and firm intentions in Roosevelt's mind, and regardless of deviations and excursions, it had never been lost sight of. Hopkins by then had done much more than guess; he spoke at length of what he had put together.

Eleanor, who might have been expected to have had a more comprehensive understanding was, in fact, at a loss. Several years after her husband's death the writer finished the manuscript of a biography and sent it for the comment she had offered to make. He then went by invitation to her cottage at Val Kill to hear what she would say. She sat for some time turning over the pages

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she had found most interesting. They concerned the sources of the continuous and determined will to reach a whole range of public objectives. She looked up. There seemed some danger that she might have found the conclusions presumptive and the evidence small. What she said, however, was, "You may be right. I do not know." She seemed genuinely interested in the reasoning —and herself quite uncertain.

It is the writer's belief that Frankfurter could not have known more. He had watched and studied, and he was always ready to help because he believed that Roosevelt had the talents necessary to move political forces. He was a natural leader. He would deal and compromise and settle for less than he might like; but it would be all anyone could have got, and it would be good. Hence the faith of a scholar in a politican whose mind he must have felt inferior to his own, but whose instincts he implicitly trusted.

Late in Roosevelt's presidency there was for the first time some doubt. A Big Four that included Stalin, Frankfurter thought, would not make a peaceful world, and he found serious objection to the policy of concealing nuclear technology. This would fail because science could not be contained and the attempt would create bitterness. For this last he had the authority of Niels Bohr, who, after visiting Los Alamos in 1944, prepared a memorandum, at Frankfurter's request, for the President. He submitted it but he did not himself insist, and he got no answer.

During Roosevelt's last months, when he was visibly weakening, there are only two notes from Frankfurter: one a condolence on the death of General Watson, Roosevelt's faithful aide who had died on the way home from Yalta, and the other a recommendation that his old friend Dean Acheson be made solicitor general. About this last Roosevelt wrote a note; but death intervened before he could follow it up. It was the last of Frankfurter's hundreds of letters to the man he had regarded all his life as the authentic political craftsman in the democratic enterprise. Typically it was an intervention he believed would be serviceable both to Acheson and Roosevelt.

IV

To historians' regret, there may never again be so compendious a correspondence between two public figures. Letter-writing, es-

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pecially by busy public men, is anachronistic; it was so even in their time. But Frankfurter found himself unable to unburden himself by telephone, and what he had to say often could not have been said face to face without embarrassment. He broke over the ordinarily admissible boundaries on many occasions. Perhaps he went further and further because Roosevelt seemed to like it; certainly there was encouragement. Nearly always it was in brief acknowledgments, and they obviously originated in the upper levels of his attention. What went on down below he did not put on paper. But the responses were always made.

There are easily a hundred times more words of Frankfurter's than of Roosevelt's in this book, of which only a scattered few even hint at disappointment or dissent. Mostly they express praise, but then most of the time Roosevelt was going the orthodox Progressive way. When there were divergences, there seemed to be political considerations, and Frankfurter knew that politics required maneuver beyond his knowledge. Still he overlooked a good deal to find behavior he could approve. When it came clear, or appeared to, he let himself go in gushes of sentiment. These seem extravagant now, but there can be no doubt that they were the expression of the deepest feelings of one who needed—and had found—a hero.

When Roosevelt died he had only begun to do what he had meant to do for the nation and for the world; until the last he was still hoping to do it. The nations needed a spell of discipline on the way to a peaceable order. He, Churchill, Stalin, and Chiang Kai-shek, politicians all, must impose and manage it. This last grand project was needing attention already. Stalin was behaving badly, and the United Nations charter, about to be adopted, was not very satisfactory. It had a particularly troublesome Assembly contributed by drafters he had not watched closely enough. But there was nothing he, Roosevelt, president of the United States, might not have arranged during a few more vigorous years. It is not even yet apparent why he did not realize they were not to be granted him.

Frankfurter's fulsomeness, as he saw hints of such projected developments as he most approved, may have given Roosevelt an unquestioning faithfulness he needed. A reader of the cor-

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respondence cannot avoid wishing that more critical advice had been offered. He could have improved the approach to Court reform and, as a memorandum written in December 1935 shows, he might have been more helpful about the slaughter of New Deal agencies at the hands of the Court. Since, however, he could only guess what Roosevelt usually wanted or how closely plans approximated it, he would not risk warnings.

The correspondence is one-sided and over-sweet. But it is wonderfully revealing. No one can read it without having the sense of being privy to an exchange between two characters he ought to understand. Frankfurter's long campaign of support is shown best in the numerous telegrams, perhaps, but one short letter may be cited as representative. It was written on January 29, 1936, and was one of the series of birthday greetings he sent every year:

> Tomorrow falls [sic] one of those rare occasions when the heart may speak with words. You know how I have felt about you as a symbol of manliness—of gallant grappling with life's vicissitudes, of noble ardor for Lincoln's "common people", of unsullied devotion to the dream to which this country was dedicated. And that golden thread runs through your life—from Albany . . . through the war, and then those days of spiritual triumph, after 1920, to the dark and devastating winter and the spring of '33 when you gave a whole people the restoration of their faith and the strength to triumph over chaos. And now, the power which you saved for those most privileged is being turned to unreason, to fear, to all the abuses that blind excesses of partisanship and self can generate.
>
> But I think of that symbol of gallantry and unpoisoned humanity that you are to the anonymous millions—the symbol that is forever one of our great national possessions. . . .

This might have been said of Roosevelt by others—many others—who equally appreciated his enormous contribution to the fulfillment of their desires for the nation.

But they would have said it *about* him, never *to* him.

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Book Reviews

The Global Partnership: International Agencies and Economic Development *edited by Richard N. Gardner and Max F. Millikan. New York, Washington, and London, Frederick A. Praeger, 1968. —vii, 498 pp. $9.50.*

Richard Gardner and Max Millikan combine tight organization and judicious focus to produce in *The Global Partnership* a valuable overview of the past and present of international aid organizations, and a prediction of their future. Twenty essays, written by academics as well as practicing experts, are organized around two major features of current aid trends: the "emergence of a set of genuinely international institutions," and "the increasing concern with the problem of world economic and social development" (pp. 1, 2).

The content and organization of both the individual chapters and the book as a whole reflect this dual focus. The first eleven essays following the introduction deal with existing organizations and distinguish the various forms which they have taken. The final eight are concerned with needs, potentialities, and hopes, in terms of which past efforts may be judged and future goals set.

The first chapter introduces the reader to the UN role in economic development. It outlines the national interests and international attitudes on which the multitude of UN affiliated international agencies were premised. The next group of essays concentrates on the role of trade, covering in some detail the General Agreement on Tariffs and Trade, the United Nations Conference on Trade and Development, the International Monetary Fund and the World Bank Group. Somewhat more general, the following five essays discuss the various forms which existing international organizations have taken, and the implications of these forms for past and future efficacy of aid.

Through analysis of past institutional performance and world attitude trends, and presentation of several new development plans, the authors in the second half of the book thoughtfully indicate the potentialities and probabilities of future aid efforts. An outline of needs in such areas as education, population control, food production, protection of private investment, and application of science and technology places in perspective the accomplishments mentioned in earlier pages.

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Predictably, among the many contributions, there is a variance in quality. The articles on education and the Alliance for Progress lack both adequate focus and organization. The final overview of "International Agencies and Economic Development" offers a minimum of new information and does little to schematize the facts already given. While the book, on the whole, can be readily understood by readers lacking a background in international economics, a few articles might present some difficulties.

In general, however, the contributions are of excellent quality. They give the reader a well-rounded picture of current conditions as well as formative historical events. They interpret attitudes and depict real (as opposed to official) motives. In a world which is apt to be cynical about international economic development, they do not hesitate to emphasize successes, along with the acknowledgment of failures.

In the preface, Gardner and Millikan express the "hope the [book] will prove useful to policymakers as well as to students of economics, political science and international organizations." *The Global Partnership* admirably fulfills this hope.

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Public Knowledge: An Essay Concerning the Social Dimension of Science *by John Ziman. Cambridge, Cambridge University Press, 1968.—xii, 154 pp. $3.95.*

John Ziman is a physicist, a fellow of the Royal Society, and a self-taught sociologist of science. His examination of his world, *Public Knowledge: An Essay Concerning the Social Dimension of Science,* shows the insight and easy familiarity that goes with being an insider.

Science, Ziman suggests, is best understood not as a body of verified information nor as a set of methods but as readily communicable knowledge whose validity can be agreed upon by qualified investigators. Ziman's emphasis on assent or on the principle of consensibility, as he calls it, places him squarely in the camp of those who cannot conceive of science without a scientific community. We are told, in fact, that the scientific status of a body of knowledge can be determined by studying "the attitudes of professional practitioners to one another's work. A sure symptom of non-science is personal abuse and intolerance" in the place of impersonal critical scrutiny.

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The principle of consensibility not only affects the extent of overt conflict among colleagues, it has a series of other consequences. For one thing, it affects the problems scientists select. Their attention is restricted "to questions whose answers are capable of being agreed upon." For another, it affects the way they communicate their work to their colleagues, for, as Ziman notes, the scientific paper, for all its dry formality, is strong rhetoric in favor of the idea being presented. And this principle also affects the training of scientists, in which students are taught to internalize standards by which their senior colleagues assess the worth of scientific work. At least this is what should be so even though reality often diverges from it.

This emphasis on agreement in science has, Ziman asserts, contributed to its strength, but it also fosters dogmatism and resistance to new ideas. But, as Michael Polanyi has observed, science has prospered when it has been required to meet the standards of qualified judges in the field—even though some of their judgments have proved to be wrong. Moreover, rigidity in the system is countered by structural pluralism. Rejection by one journal, for example, does not mean rejection by all; reasonably sensible ideas can get into print in one or another of the many journals now being published. Decentralization of scientific activity and the relative independence of those who regulate entry into scientific occupations are two other structural features which minimize the chances that men with unorthodox ideas will be frozen out of the system. And, after Polanyi, Ziman underscores the importance of the experts in neighboring specialties who oversee one another's work, thereby interfering with the formation of dogma in any particular field.

Ziman touches briefly on any number of amusing and arresting characteristics of the scientific enterprise: fashion in science, the vulnerability of scientists with great reputations, and the ways in which national styles are expressed in styles of research. Each of these Ziman handles with sureness. But this sureness is sometimes the product of stereotypes the author shares with his fellow-scientists about what they do and why. He notes, for example, that the scientific community is not stratified. But, as a good observer, he also takes note of elitism, incessant gossip about scientific standing, and collective sensitivity to shifting positions on the ladder of prestige. In short, Ziman has a way of recovering quickly from his own dogmatism. His is a graceful book which should enlighten his old colleagues and his new ones.

HARRIET ZUCKERMAN
Columbia University

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Continuities in the Study of Social Conflict *by Lewis A. Coser. New York, The Free Press, and London, Collier-Macmillan, 1967.—x, 272 pp. $7.95.*

For many years now Lewis Coser, along with Ralf Dahrendorf and a few others, has been in the forefront of that group of sociologists who have attempted to revive the study of social conflict as begun by Georg Simmel, in order to supplement the essentially static analyses which have tended to dominate sociology, symbolized by Durkheim in the nineteenth century and by Talcott Parsons in the twentieth.

In 1954 Coser, who is professor of sociology at Brandeis University, published his book *The Functions of Social Conflict*, a commentary on and extension of Simmel's conflict theory. *The Functions of Social Conflict* included a plea for continued and expanded research and publication in the field of conflict, and in subsequent years Coser himself published extensively in scholarly and popular journals on the subject. *Continuities in the Study of Social Conflict* is a collection of these articles, arranged in three sections. The first section, consisting of six chapters, is theoretical. Each of the chapters extends Coser's commentary in *The Functions of Social Conflict* on some aspect of conflict theory. The second section of the book consists of two chapters discussing the contributions of Karl Marx and Emile Durkheim to conflict theory. Section Three, consisting of four chapters, discusses certain current problems and crises from the standpoint of sociological conflict theory.

To this reviewer, the first section of *Continuities in the Study of Social Conflict* was by far the most valuable. In these six chapters Coser develops insight after insight in the most tantalizing fashion, developing an intense thirst, at least in one reader, for a larger and more systematic examination of the field by Coser that is neither based on another man's work nor on isolated essays published elsewhere. Despite their origin, however, the essays in this section hold together very well, and might have been written for the book itself. The same cannot be said for parts two and three, which become a bit disjointed, although each individual chapter is an interesting, well-written essay in itself. Marx is praised as a "dynamic" sociologist and Durkheim criticized as a "static" one. In the last section Coser deals with the problems of political development of the new states of Africa, Asia, and elsewhere, the question of peasant revolt, Communist-bloc pluralism, and military secrecy.

Coser can always be read with pleasure as well as intellectual insight. His writing is remarkably free of obscurantist jargon and his analyses

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always clear and incisive. A certain lack of economic sophistication is revealed in a series of non-sequiturs in Chapter 9, but this is a minor point. A somewhat more important objection concerns Coser's insistence, reiterated in various places, on making a distinction between what he calls "realistic" and "unrealistic" conflict. This notion, taken from Simmel, declares that when conflict is undertaken with a particular goal in mind it is "realistic" and functional. If undertaken simply to release tension it is "unrealistic," with the strong implication that therefore this is the "bad" form of conflict. Nowhere is it explained why release from tension is not as legitimate a human goal as any other. In any case, billions of dollars are spent yearly in its attempted attainment.

The struggle to dethrone social statics and bring that study back to a position of equality with the study of social dynamics continues, and finds in Lewis Coser one of its most eloquent and persuasive advocates.

NORMAN A. BAILEY
Queens College of the City University of New York

Five Towns: A Comparative Community Study *by Lois R. Dean. New York, Random House, 1967.—xii, 173 pp. $2.25.*

Professor Dean's book is an ingenious and stimulating attempt to employ a general model as a guide to research in the analysis of leadership in local communities. There are, however, some grave difficulties with the methods used by the author, and, at the risk of seeming to carp, these difficulties must be pointed out.

The question with which the book is concerned is that of how "cohesion and equilibrium" are maintained "in an increasingly complex and differentiated industrial society." The study is based on the assumption that the socio-economic problems of contemporary American society are becoming continually more national in scope and solution. This leads to the centralization of political and economic power at the national level and a resultant decline of autonomy on the local level.

The theoretical framework upon which this study rests is derived from Parsons' scheme of pattern variables. As a result, neither the framework nor the findings of the book can be fully summarized in the space of this review. With this in mind, a brief outline of the method and findings follows. Devereux has defined the pattern variables as

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"a set of five dichotomous variables conceived as constituting universal and basic dilemmas confronting any actor in any social situation." The author uses Parsons' framework to analyze the relationship among socio-economic institutions and leadership attitudes. Five towns, ranging from nine thousand to eighty thousand in population, and varying along a continuum composed of criteria such as personal income, composition of the labor force, degree of industrialization, and rate of economic growth, were selected for scrutiny. A list of the community leaders in each town was assembled by use of the reputational method. (The choice of this method for research two years after Robert Dahl and his colleagues had done an effective job of pointing out its inadequacies is most unfortunate. This initial error was compounded, moreover, for once the list of reputational leaders was assembled, only those who occupied formal statuses common to the leadership groups in all of the towns were interviewed. This respondent group was roughly half of the total leadership group. In each town, ten of the members of the respondent group of fourteen were business leaders. However, business leaders constituted a majority of the reputational leadership group in only two of the five communities, and in these two communities their majority was a very slim one. The author argues that she reduced the leadership sample in this way to make it identical, and, thereby, to make inter-community comparisons valid. Since the samples are no longer representative of the reputational leadership group, however, the comparisons are actually anything but valid, if the author is concerned with measuring the opinions of community leaders). Respondents were interviewed with a set of six open-ended questions relating to the cold war, race relations, labor-management relations, and famous persons most admired by the respondent. As the author notes, the questions used pose several problems, for there are neither a sufficient number of questions, nor questions of adequate precision, to measure the pattern variables: "Ideally, questions to tap each variable for each issue should have been constructed . . ." (p. 46). As might be suspected, this is the case because the book is a byproduct of another study, one dealing with community leadership attitudes toward civil defense and preparedness. (Hence the fact that three of the six questions used for analysis in *Five Towns* deal with the cold war and fallout shelters.)

The principal findings of the study are summarized below in the author's own words:

> From the social-psychological point of view, most Americans do not live in "the nation" or "the total society"; they live in towns and cities . . .

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> their local community of residence still constitutes the microcosm in terms of which the national community is comprehended and evaluated (p. 6).
>
> . . . the economic structure of the local community defines its ethos, or character, and conditions its members' values and social attitudes more profoundly than any other single institution . . . for value and attitude formation and reinforcement, the most important aspects of community economic structure are the *type* of economic activity that predominates and the *functional linkage* between the local and national communities . . . (p. 7).
>
> As communities become increasingly involved with larger socioeconomic units, and as they grow more economically diverse internally, there is a trend toward widened horizons of self-identification among community leaders. Furthermore, this process tends to produce . . . universalistic norms of specificity, achievement, performance, and instrumentality; greater complexity of thought and perception; and a heightened belief in man's capacity to shape his own environment for the better (p. 136).

Professor Dean is to be congratulated for her imaginative attempt to apply the concerns of general theory to empirical research. One hopes she will follow up this book with a study which will employ superior methods and adequate resources with which to examine the problem in greater depth.

DOUGLAS FOX
Bowdoin College

Arms and Influence *by Thomas C. Schelling. New Haven and London, Yale University Press, 1966.—viii, 293 pp. $7.50.*

Containing the Arms Race: Some Specific Proposals *by Jeremy J. Stone. Cambridge, The M.I.T. Press, 1966.—xvi, 252 pp. $6.95.*

These two books add distinctively to the study of international conflict and arms race behavior. The first volume is largely theoretical in scope and is likely to be regarded for years to come as a classic work in conflict theory and bargaining analysis. The second examines the policy questions raised by contemporary arms control proposals; though some of its enquiry is already dated, its lucid discussion of restraints upon the weapons race will remain of permanent value.

Professor Schelling's work manifests an exceptional clarity and intellectual rigor in the study of strategic theory. His concern in this book, he notes, is not with the tactics of military victory or with policy questions of national security. His aim is to investigate the "diplomacy of violence" necessary to survive the "dynamics of mutual alarm" which

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inhere in that international threat system which we call a world order. Schelling's concepts of competitive threat and the calculated use of risk are adroitly wielded to demonstrate that threats and bargaining, rather than the resort to violence, are critical factors of statecraft in a nuclear age.

> War no longer looks like just a contest of strength. War and the brink of war are more of a contest of nerve and risk-taking, of pain and endurance. Small wars embody the threat of a larger war; they are not just military engagements but "crisis diplomacy." [Before] the threat of war . . . neither strength nor good will procure immunity (pp. 33-34).

Unfortunately, Schelling appears to posit a supra-human rationality in interstate communication and behavior. His syllogisms of strategic planning leave little room for chauvinist misperception or political stubbornness. Admittedly, the skillful risk-taking and conflict limitation exercised during the 1962 Cuban missile crisis tended to validate his theory of coercive *deterrence;* but the failure of our mass bombing of North Vietnam has invalidated his complementary theory, of aggressive "compellence." Signal as we would to Hanoi about the benefits to be gained by complying with our wishes, the North Vietnamese refused to be compelled—or manipulated—by a more powerful adversary. Perhaps they were "irrational" in resigning themselves to a greater pain or threat than they need have endured, or perhaps they recognized that the United States had unwisely (and unjustly) relied upon excessive violence to pursue unattainable goals.

This stricture aside, it is to be hoped that the book will exercise great influence in government. It sets out a convincing rationale for economy in the use of violence and for a cool response when sensitive pride encounters an escalation of threat or frustration. Schelling convincingly demonstrates the disutility of a first use of nuclear force; hopefully, his shrewd warning will be recalled when elderly patriots next urge that nuclear weapons be used to exercise political frustration.

Professor Stone's knowledgeable essays on arms control strategy also deserve serious attention. His evaluation of the actual risks and the potential benefits attached to various arms control measures is exceptionally revealing. He writes with expert judgment on bomber or missile disarmament and on the political obstacles which have prevented agreement over a United States-Soviet strategic balance. A note of cautious optimism emerges from his work which, unhappily, is not reflected in contemporary events. He carefully depicts the advantages to be gained through weapons control or moratorium agreements, but he fails to adjust his analysis to a world in which decision elites yearn

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for the illusory aspirations of nuclear invulnerability and superiority. He urges that we "avoid fighting today's political problems with tomorrow's weapons systems" (p. 232); but the next round of the nuclear arms race was upon us before his shrewd diagnosis could be properly considered. It should also be noted that his analysis, drawn from open sources, demolishes the myth that critics outside government are not capable of judging the hard-line decisions of the nose-cone engineers and war-game trainees.

WALTER GOLDSTEIN
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Nuclear Weapons Safety and the Common Defense *by Joel Larus. Columbus, Ohio State University Press, 1967.—x, 171 pp. $6.50.*

A straightforward report, unencumbered by pseudo-theory of game talk, tells us what can be gleaned from unclassified sources about accidents involving thermonuclear weapons systems. Such accidents arise from human or technological failures, or, as with most of the twenty-odd "broken arrow" accidents known about, a combination of the two. The threat of an accidental thermonuclear explosion—an accidental Hiroshima—haunts every nation, for in addition to immediate havoc it might trigger outright war between the thermonuclear powers. Less alarming only by comparison is the danger of the accidental release of radioactive material, as happened on January 17, 1966, over Palomares, Spain, and on January 22, 1968, near Thule, Greenland. Professor Larus, no alarmist, concludes that the danger of an accidental war is quite remote, but that not even the herculean efforts America has made to prevent accidents are sufficient, and, of course, this was quickly confirmed at Thule. Moreover, due to the proliferation of thermonuclear devices and the expected increase in the number of nations possessing them (Professor Larus discusses the evidence indicating today's five thermonuclear powers may double during the next decade), danger from both types of accidents will rise during the coming years. In short, the Nth country problem is a world problem. After surveying the characteristics of weapons, delivery systems, and human, procedural, and mechanical safety devices, Professor Larus concludes with a concrete proposal to internationalize safeguards. This is a carefully thought out plan and deserves immediate attention. The plan is for the United States and the U.S.S.R. to take the initiative in convening an international conference for the exchange of in-

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formation about safety procedures and devices. The conference would have four phases devoted to: (1) storage and transportation, (2) delivery systems, (3) liquid fuel missiles, and (4) solid fuel missiles.

An example of Professor Larus' approach is the suggestion that manned bombers, which are now approaching obsolescence in the United States and the U.S.S.R., will be the initial delivery vehicles of the newer thermonuclear club members. Neither of the major powers will suffer from divulging safety information concerning manned bombers but they, like all other nations, will be more secure if such aid is given the newer club members.

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The Age of Containment: The Cold War, *1945-1965 by David Rees. New York, St. Martin's Press, 1967.—x, 156 pp. $5.75.*

If this fourth book in a projected series of several dozen works on the "making of the twentieth century" had been written by a Soviet historian giving the Soviet point of view, it would be reviewed in these pages as a "book presenting the party line with rigid faithfulness." Now, fortunately, Western historians are under no external compulsion to present a "party line," but it is one of the unfortunate consequences of the cold war that many observers of recent diplomatic history naturally reiterate the more propagandistic interpretations given by their side.

One would expect, however, a work of scholarship to go beyond conventional cold war polemics. Unfortunately, this new book is unable to escape the clichés and stereotypes which were so widely believed in the early nineteen-fifties. The author presents a classic picture of "unchanging totalitarianism." Indeed, he seems more intent on drawing a horrifying specter of communism than describing or analyzing change within the Communist world. This effort is sometimes carried to extremes. Mr. Rees writes: "In a modern totalitarian society, opponents are not merely eliminated, they cease to exist. The very name of Beria is erased from the history books and the encyclopaedias; Khrushchev, the ruler of the USSR for nearly ten years, becomes an 'unperson' . . ." (p. 5). Granted the Russians remove their political leaders from high

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office in a way remarkably different from our methods, but Mr. Khrushchev is no more an "unperson" than Harold Stassen. More important, Khrushchev's fate was substantially different from that of the victims of the Great Purges. Such distinctions are unimportant to Mr. Rees, who even occasionally calls forth the frightening visions of George Orwell to intimidate his reader.

This is a disappointing book in a series designed to "close the gap between the intelligent layman, whose interest is aroused by recent history, and the specialist student at the university." The book provides neither an appropriate introduction to the beginner nor original and meaningful interpretation for the specialist. Certainly the specialist would be appalled by the readiness with which Mr. Rees analyzes the motives of Soviet decision-makers and how close he comes to presenting a "devil theory" of the cold war. It is also irresponsible to lead the beginning student to believe with certainty what the specialist cannot know, as the author does in his analysis of the Cuban missile crisis.

The book also offers misleading implications in its historical interpretations. For instance, in describing the failure of the Kuomintang it is suggested that "when the inevitable civil war broke out in July 1946 the KMT at first made some advances; but . . . Chiang attempted in 1947 to reconquer Manchuria, where the Russians had turned captured Japanese arms over to the Communists. He failed; and the Chinese civil war was already lost . . ." (p. 36). The implication is obvious. Completely ignored are the internal problems confronting the KMT and the internal dynamics of the Chinese revolution. The author's narrow perspective on the Chinese revolution is understandable when one turns to the bibliography presumably designed for the specialist (p. i). One will search in vain for a listing of the works of any one of several dozen China specialists, not to mention those of Professors Zbigniew K. Brzezinski, Adam Ulam, Robert C. Tucker, Robert V. Daniels, and George Kennan on the Soviet Union. At worst the bibliography avoids those works which might suggest interpretations other than Mr. Rees' narrow cold war polemic, and at best the bibliography might prove useful for a rather unimaginative undergraduate.

There is not the slightest hint in the book that the cold war originated and continues through mutually reinforced provocation, suspicion, and threat. The book is built implicitly around the theme of Soviet challenge and American response. Reciprocity has played no role in Mr. Rees' cold war. The book presents simple categories into which the good guys and the bad guys can be placed. It seems to this reviewer that analysis of the cold war must first come to terms with

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the growing body of literature about the mirror-image phenomena if the pitfalls of self-righteous moralizing are to be avoided.

If one wants to reinforce the stereotypes of the American approach to the cold war, this book is appropriate reading. But is certitude or an agonizing re-examination of basic cold war assumptions needed today?

DENNIS M. RAY
California State College, Los Angeles

Toward a Mathematics of Politics *by Gordon Tullock. Ann Arbor, University of Michigan Press, 1967.—vi, 176 pp. $7.95.*

Whether or not the title of this book will be deemed appropriate, or its contents important, probably depends upon the individual reader's perception of what political *science* is or ought to be. The mission of Gordon Tullock and other representatives of the new political economy is to bring economic theories and methods to bear on political problems. Unlike the preponderance of behavioral political researchers who emphasize empirical analysis and quantification, Tullock's interest is logical model building. A chief advantage of this approach, whether in behalf of pure science or policy formulation, is that the variables which are fed into the model may be derived from the entire range of logical possibilities and are not narrowly limited to the usable data which fall to hand in the world of sensory experience.

The present study, as noted in the preface, began as a quest (so far unsuccessful) for a unified model capable of dealing with both economic and political problems and eliminating inconsistencies found among existing models. The volume consists largely but not exclusively of the application to political problems of ideas originally developed by and for economists.

As an aid to the study of the decisional process, the author devotes much of the volume to representation in geometric space of factors involving preference relationships. This is achieved through creative extension of ideas from Kenneth Arrow, Duncan Black, Anthony Downs, and Harold Hotelling. The Edgeworth box, a common intellectual tool of economists, is used to probe the significant relationships between the number of voters and the number of issues-alternatives among which voters choose. Arrow's "general impossibility theorem"

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raises the question why real world democracies seem to function fairly well in spite of the logical impossibility of rationally aggregating preferences. In explaining this paradox, Tullock relies on a large number of voters (one hundred thousand to one million) and he observes that decisions are by majority vote with alternatives being considered in a fixed order. The relationship (suggested by Downs) between the costs of information and rational voting receives extended attention. Tullock notes that most voters receive political information in a random way on most issues and he analyzes the influence of this fact on how campaigns are waged and how votes are cast.

Tullock presents a representation scheme (last chapter) which combines weighted voting and proportional representation. He (mistakenly) believes that he is the first to combine these two ideas. Actually, this reviewer touched on the possibility of such a combination in lecturing at a political science conference in Dallas, Texas, in July 1964. These two elements were identified in a brief published report of this lecture. The weighted voting-PR combination received attention on several other occasions prior to Tullock's publication of the idea. The combination seems obvious in an age of computers when legislative apportionment is an issue. We may yet discover that someone other than either Tullock or Bernd was first with the idea.

Joseph L. Bernd
Virginia Polytechnic Institute

Influencing Voters: A Study of Campaign Rationality *by Richard Rose. New York, St. Martin's Press, 1967.—288 pp. $5.95.*

Over the past two decades specialists in opinion polling and the use of the mass media have come to play an important role in major elections in both the United States and England. With the decline in the strength of old-fashioned political organization and of party identification such specialists have become increasingly important—and controversial. In this book Professor Rose draws on his experience in both journalism and survey research to give us a highly informative account of the impact of the new technology on British politics. For those who may have assumed that market research and Madison Avenue methods were limited to California politics it is a sobering study.

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Rose divides his material into a series of case study chapters on the activities of the various parties and of the more active interest groups (in 1964 this included the Aims of Industry group and the steel companies, who were opposing nationalization). These are followed by a series of more analytic chapters which are of much greater interest to social science. The chapters on assumptions about voters and on obstacles to rationality are particularly interesting. And, as an American living abroad, Rose has a keen eye for American comparisons.

In general, new campaign techniques seem to be explored a bit more rapidly in the United States, but their impact may not be as great here because of the highly decentralized nature of the system and the fact that many candidates are exploring various tactics. Rose notes that the British attitude toward American innovations has shifted from the moral disapproval prevailing in the nineteen-fifties to admiration for technical competence in the nineteen-sixties. Much of this admiration, however, may be misplaced. Many candidates in the United States lack experience in the use of such experts, and hence are vulnerable both in their interpretation of reports and in evaluating the professional qualifications of the men or companies on whom they rely.

On the pollsters' side campaign work is often a passing phase, and the more successful operators manage to graduate into the more steady and less strenuous operation of syndicated public polls for the newspapers or concentrate on business clients. As a result political polling is a rapidly expanding "industry" in which the young man can hope to make his mark. For an up-to-date summary of the American operators in this field the reader is referred to *Congressional Quarterly* weekly report, No. 18 (May 3, 1968), pp. 992-1000.

Looking back one is struck by the speed with which television and polling have made their mark on the operation of mass democracy, on both sides of the Atlantic. As a presidential candidate Adlai Stevenson refused to make use of polling data, and as late as 1958 Averell Harriman made little use of polls in his campaign for re-election as governor of New York. In England Rose reports that the 1959 "Labour Party campaign was based upon the explicit rejection of modern media techniques and expertise" (p. 63). Although Hugh Gaitskell was friendly to the use of social science he found it necessary to cancel surveys because of the opposition of Nye Bevan, who believed "that the role of the politician was to know instinctively what the electorate thought and wanted" (p. 63). Such days seem gone forever.

HUGH DOUGLAS PRICE
Harvard University

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Religion and Regime: A Sociological Account of the Reformation *by Guy E. Swanson. Ann Arbor, University of Michigan Press, 1967.—x, 295 pp. $7.50.*

Georg von Below observed that more books have been written about the causes of the Reformation than about the Reformation itself. In this volume the author offers a sociological explanation as to why some societies remained Catholic while others became Protestant. In his *The Birth of the Gods* Swanson commented that it would take but a single shelf to hold all the books which, from the point of view of *natural science*, contain distinctive explanations of religion's nature and origins. Here Swanson moves from the study of primitive religions to an analysis of a highly complicated historical movement in the world's most complex and culturally advanced continent, where simple explanations detract from truth. This book's major point is providing an explanation for the difference between Catholic nations in which people commonly feel that they have direct, palpable contact with ultimate things, with spirits and spiritual power, and Protestant states in which most people feel in the presence of ultimate things yet separated from them. In Catholicism God's essence is immanent in the historically existing church and in the sacraments (exuvial magic?). In Protestantism God's essence is transcendent, not to be found in any created thing. In Catholic nations strong centralist regimes reaching into the subjects' daily lives conditioned them to favor an immanent conception of God. In Protestant states the central governments were so penetrated by special interests, power groups with purposes other than those of the rulers, that the kings seemed remote and hence the high God transcendent.

The author tests this hypothesis by examining forty-one societies from the fifteenth to the seventeenth centuries to demonstrate that the religion adopted corresponded to the country's centralist, limited centralist, balanced, commensal, or heterarchic regime. The historian aware of complexities can only gape in astonishment at this social scientific *tour de force*. The major premise is quite mistaken, for Ernst Troeltsch already pointed to the emphasis in Protestant thought on God's immanence, leading to that monism so characteristic of modern religiosity, in contrast to medieval dualism. The minor premise in all too many instances is mistaken, for countries such as Catholic France (Calvin), the two Saxonies, Poland, Bavaria, Florence, or Venice pose far more difficulties for the thesis than are resolved in this volume. The historian knows that the aetiological syndrome is so complex and that the variety of forces at work in different parts of Europe is so great that

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only one reasonably safe generalization can be made about the relation of the Reformation to the type of government. Where the ruler had the power to oblige the people to remain at least formally Catholic or to become Protestant, there in the vast majority of cases the *cujus regio eius religio* was applied. Where the ruler actively opposed a change, a prolonged struggle for survival and in a very few cases the triumph of Protestantism ensued. A multitude of factors are needed to explain at all why the people in any given area inclined toward one form of Christianity over another. The thesis offered in Swanson's book is of virtually no help in explaining this inclination, just as the somewhat more plausible middle-class-Protestantism correlation so dear to Weberites has foundered on the facts. Some nobility, clergy, bourgeoisie, artisans, academicians, peasants, intellectuals, rich and poor, individuals and groups, turned Evangelical, while others with the very same anterior political experience remained Catholic. No simple (*isolierend-kausal*) explanation, however seemingly scientific, can account for major historical phenomena such as the Reformation. Like Schiller, who bewailed his *tintenklecksendes Säkulum*, the skeptical reader may well reject the ink-slinging tendency of our still very linear era.

LEWIS W. SPITZ
Stanford University

Industrial Relations and Economic Development *edited by Arthur M. Ross. London, Macmillan for the International Institute for Labour Studies, and New York, St. Martin's Press, 1966.—xxxv, 413 pp. $16.25.*

Collective Bargaining in African Countries *by B. C. Roberts and L. Greyfié. New York, St. Martin's Press, 1967.—158 pp. $7.25.*

Both these volumes are the product of the research program of the International Institute for Labour Studies, an affiliate of the ILO. The first represents the proceedings of a conference which was not sharply focused in the first place, and it is therefore something of a grab bag. A few of the essays in it are worth reading, however, particularly one by Elliot Berg on African wage policy, in which it is argued convincingly that minimum wage legislation, despite its humanitarian objectives, is not suitable for Africa at its present stage of economic development. Jay Tabb contributes an informative paper on planning in Israel, with particular reference to the role of the labor movement and

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to the human resource factor. Frederic Meyers tackles the subject of party-government-trade union relationships in Mexico. Adolf Sturmthal outlines a model of trade union development using as variables the pattern of objectives, the weapons available, the labor supply function, the structure of the labor force, and the international migration of ideas. Unfortunately, the model is not applied, so that we have no way of knowing whether it is feasible or useful. Professor A. Bajt reports on a number of surveys of worker attitudes under Yugoslav self-management, from which it appears that a majority of the workers questioned are dissatisfied with their wages, both relative and absolute, and with the managers whom they themselves have presumably hired.

Collective Bargaining in African Countries contains a great deal of useful material on trade unionism, employer organization, the law and procedures of collective bargaining, and the contents of collective agreements in the new nations of Africa. The most striking generalization is the sharp dichotomy that continues to exist between the former British and French colonies. The role of government in collective bargaining is much greater in the French areas. Collective agreements emerging from bargaining are apt to be quite standardized, in contrast to the greater heterogeneity of contracts in the British areas. The right to strike is more circumscribed where French conceptions prevail.

This book would have been more rewarding if the authors had consigned that half of the text which summarizes legislative provisions and collective agreement clauses to an appendix, and concentrated instead on the analytical aspects of the subject. What we have essentially is an essay which raises a number of interesting questions but answers them only by *obiter dicta*. How much economic and political power do African trade unions actually have? Is collective bargaining appropriate to contemporary Africa? Do strikes take place, and, if so, how damaging are they to the economy? To what extent are wages and other labor conditions determined by collective bargaining? Can independent unionism be reconciled with the requirements for successful economic development? All of these matters are touched on, but never pursued in any depth.

Perhaps it is ungrateful, however, to carp at a book which gathers together a good deal of material that is hard to come by. Messrs. Roberts and de Bellecombe have amply demonstrated that the contemporary African labor scene offers a promising field for further research.

WALTER GALENSON
Cornell University

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Political and Social Change in Modern Egypt: Historical Studies from the Ottoman Conquest to the United Arab Republic *edited by P. M. Holt. London, New York, and Toronto, Oxford University Press, 1968.—xx, 400 pp. $11.20.*

This collection of twenty-four articles, based on papers prepared for a conference at the School of Oriental and African Studies in the University of London, makes as coherent and useful a volume of this kind as it has ever been this reader's good fortune to find. The authors are from the West and the Middle East. The participation of Egyptian scholars in such a conference and publication is welcome, the more so as Egyptian international intellectual cooperation has declined so far in recent years that it has been virtually confined to the sort of quasi-official and vacuous meetings often sponsored by UNESCO.

Professor Holt, the editor, has by his excellent introduction left almost nothing to be said in a brief review. As he points out, there are three groups of papers. The first deals with sources. The second includes only four papers but they range over much of Egyptian history from the Ottoman conquest in 1517 to the Napoleonic conquest in 1798. The third group, the most numerous, is on the nineteenth and twentieth centuries; some of these papers deal with broad periods while others focus on political or social processes within shorter time-spans.

Professor Holt also rasies several interesting questions concerning various aspects of the contributors' approach to Egyptian history. Uniformly they see "modern" Egypt beginning with the Napoleonic conquest or a few years later when Muhammad Ali took power. He warns, however, that the first event, "ominous" as it was, did not itself bring enduring changes, while the second event was in a sense a throwback to an older pattern of rule. Such periodization, while perhaps helpful and inevitable, thus neglects "the underlying continuity of Egyptian history." The editor warns also that so narrow a focus on Egypt may prevent us from seeing its history, at least until the British occupation in 1882, in relation to the Ottoman empire. He points out, further, that in the discussion of the papers the question arose as to the "significance and validity" of such concepts as military elite, feudalism, and political party. It is important to think carefully about the last term especially, not only in "one-party" Egypt today but also in the previous decades, which three papers deal with rather extensively. Professor Holt also asks whether Egyptian history has been so considerably determined by its individual political rulers as much of the volume implies. Finally he makes us wonder whether the emphasis on foreign control of Egypt is not misleading.

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There is space for the mention of only a few specific articles for various reasons. Professor Baer gives a thoughtful review of social changes in the nineteenth century. Mr. O'Brien, in the course of his study of agricultural production from 1862 to 1962, subjects a vast amount of historical data to ingenious statistical treatment. Dr. Loutfi El Sayed illuminates a neglected subject in her review of the decline of the Muslim clergy's power in the latter half of the nineteenth century. Dr. Mustafa traces the connection between European economic penetration and the breakup of the monopoly system created by Muhammad Ali. Other readers will find other papers to single out on other grounds, but all are sure to find in this volume much of value from any point of view.

MORROE BERGER
Princeton University

The Emergence of Pakistan *by Chaudhri Muhammad Ali. New York and London, Columbia University Press, 1967.—ix, 418 pp. $11.00.*

The history of the independence movement, partition, and independence in the Indian subcontinent has been written many times, both by participants and by historians, the majority of whom have been English or Indian. The results all too frequently have been apologies rather than objective studies, and *The Emergence of Pakistan* is a continuing part of that tendency. Nevertheless the book is a valuable contribution to the literature of the times. Not only is it thorough and generally well written, but it presents the Pakistani point of view on many issues that are too little known or understood in the United States.

Chaudhri Muhammad Ali was not only a participant in the pre-partition agitation and planning as a member of the Muslim League, but as secretary general of Pakistan he worked closely with Muhammad Ali Jinnah and Liaquat Ali Khan in getting the new nation to function. Following their unfortunate deaths, he was among the few who prevented chaos; and in 1956, as prime minister, he was largely responsible for the adoption of the country's first constitution. Consequently he is uniquely prepared to present the story of the emergence of Pakistan as he, a Muslim, an Indian, and a Pakistani statesman, saw and experienced it,

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and his insights into the crises of the period are, if controversial, nevertheless revealing and important.

Particularly important in his discussion are his interpretations of the role of Lord Mountbatten in preparing for independence and partition, of the accessions of the princely states to the new governments, of the period of terror, especially in the Punjab, and of the controversies between the two governments over the states of Kashmir, Junagadh, and Hyderabad and over the headwaters of the Indus, so vital to Pakistan's survival and so precariously situated.

Mountbatten's lack of faith in Pakistan's ability to survive as a viable nation is suggested as the source of many of the country's initial difficulties throughout the period, resulting, Chaudhri maintains, in what became for Mountbatten a pro-Indian bias, influencing the division of the armed forces and national treasury, the accession of the princely states, the territorial and financial integrity of the country, and the continuing debates and clashes between the two nations. But beyond Mountbatten, Chaudhri, like other statesmen and historians of the subcontinent, sees independence and partition too hastily proclaimed. The ultimate responsibility for this source of discord, he insists, belongs to the British Labor government.

The continuing disputes between India and Pakistan are not only ascribed to this source, but the Pakistani point of view on each is presented in documentary detail and historical perspective. At the same time the tremendous odds against which Pakistan struggled are vividly portrayed, and the transformation of a political ideal into a reality is movingly described as Chaudhri hints at the epic story of the subcontinent that is yet to be written.

Interesting sidelights of the book are Chaudhri's interpretations of the great personalities of the period. Nehru and Gandhi become human, and Jinnah takes on mythical proportions. Chaudhri himself emerges as a man whose faith and vision are undiminished in spite of the political turmoil that preceded the accession of Ayub Khan to power. *The Emergence of Pakistan* is neither definitive nor objective, but it is vital to the definitive study that will ultimately be written.

DAVID D. ANDERSON
Michigan State University

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Australia Faces Southeast Asia: The Emergence of a Foreign Policy *by Amry and Mary Belle Vandenbosch. Lexington, University of Kentucky Press, 1967.—vi, 175 pp. $5.75.*

It gives me no pleasure whatever to review this book. I have entertained a high regard for Amry Vandenbosch ever since I read his book *The Dutch East Indies* in 1941. So it hurts me to have to write that *Australia Faces Southeast Asia* is a third-rate (or worse) performance, marred by mistakes of fact, sequence, and emphasis, and as to interpretation, highly inept. The explanation seems to be that the book was bundled together far too hurriedly, too carelessly, and was never handed to a knowledgeable editor. While many of the expected motions of the academic researcher are plainly visible in the text, and the acknowledgments in the preface raise one's expectations about the text, in the end one feels utterly let down. The book is a distressing muddle.

It seems to me that the trouble here stems as much from the *attitude* of the authors as from any other factor. Only the fundamental assumption is right: since Australia is increasingly significant as a power in, or of, or acting in relation to Southeast Asia, it is useful for Americans to know something about its foreign political and economic policies which impinge upon or are aimed at Southeast Asia. Correct. But to deal profitably with this insight requires that one deal with Australia as seriously and faithfully as with any other factor of the Southeast Asian complex. And the Vandenbosches do not do this. They obviously did not take their Australian assignment seriously enough, did not give time enough to it, to write a respectable book. And as a consequence two faults glare at the reader: (1) the authors achieved too little understanding of Australia *qua* Australia to be surefooted in their discussion of Australian foreign policy, and (2) in their haste they did not bother to get on top of the material they did gather, for the narrative is a bumble, often but a parade of discrete bits and pieces, faulty in emphasis, and simply nowhere as interpretation. This imperfectly digested material may have served well enough as lecture notes at the University of Kentucky, but as a book it is unacceptable. Worse still, readers attracted by the title who seek understanding will be misled and confused.

C. Hartley Grattan
University of Texas

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The Origins of Malay Nationalism *by William R. Roff. New Haven and London, Yale University Press, 1967.—xx, 297 pp. $8.50.*

"First" histories are often disappointing. Dr. Roff's book is a striking and happy exception. In this first full account of Malay nationalism up to the Japanese occupation he combines a fine gift for historical analysis, a lively appreciation of power realities, and a sure grasp of the sociological context of nationalism; his work is notable as much for its original synthesis of the existing material as for the wealth of new evidence it brings to bear on the subject.

Stripped of nuance, the task of such a history is to account for the impressively easy triumph of the English-educated sons of the traditional ruling elite—a moderate, pragmatic, pro-Western group with much administrative experience—over competing versions of nationalism. One potential alternative, the Arabic-educated group that launched the Islamic reform movement in Malaya, was afflicted with the enormous handicap of being largely non-Malay. Its adherents were scarcely serious competitors for a traditional elite that was firmly entrenched by indirect rule and much more in tune with their subjects' syncretic religious practices.

A second nationalist stream that provided a more serious challenge to the Westernized sons of traditional ruling families was the Malay-educated indigenous intelligentsia. Less Westernized, less tied to the colonial *status quo*, less disposed to include other racial groups in their vision of an independent Malaya, and less chary of entertaining radical steps, this group represented a nationalist synthesis that threatened not only the British but the Malay power structure as well. While an assemblage of similar outlook and composition was rapidly gaining strength under the Dutch in Java, its Malay counterpart never developed the momentum that might have swept it into the leadership of the nationalist movement. Why?

Roff's analysis of the development of this group and its socio-economic context on the Malayan peninsula represents the core of his book. This group's failure to capture the nationalist tide can be attributed to: (1) its lack of an institutional power base in any of the three available structures of colonial Malaya (the colonial bureaucracy, the traditional authority, or the Islamic establishment); (2) the fact that indirect rule and colonial education policy had, if anything, enhanced the charisma and resources of the more conservative nationalists; and (3) the importation of Chinese and Indian labor on a vast scale that had thereby insulated the Malays from much of the social disorganization attendant on absorbtion into the dynamic, urban, export sector of the ecenomy. This

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last is of special importance, as the predisposition to search out and accept a new explanation of what is happening—a new ideology—is in large part a function of the shattering of the traditional order that occurred in Indonesia but not in Malaya.

This, then, is the story one finds in *The Origins of Malay Nationalism;* it is told not only with great attention to the subtleties and flourishes of Malay history but with a keen eye for the broad patterns of change as well. Anyone concerned with the political forces at work within the UMNO (United Malays National Organization) will find Roff's account invaluable. It is at once satisfying to the historian, the political scientist, and the sociologist.

JAMES C. SCOTT
University of Wisconsin

Defeat in the East: The Mark of Mao Tse-tung on War *by Michael Elliott-Bateman. London, New York, and Melbourne, Oxford University Press, 1967.—xiv, 270 pp. $6.40.*

Military strategy is not an absolute but, rather, is embedded in a complex matrix of historical circumstances and cultural contingencies. Mr. Elliott-Bateman's book will hopefully advance this view. Its theme is the existence of two military cultures, the one characterized by "positional," the other by "mobile," warfare, with a constantly evolving combination of human and physical factors permitting now one, now the other, to be in the ascendancy.

As its title indicates, this book has as its main substantive concern the current ascendancy of the mobile warfare of Mao Tse-tung in eastern Asia—its nature, its cause, and, ultimately, methods for countering it. The book is in four parts, each comprising two or three chapters. The first sets the intellectual framework just delineated; the second develops the concepts of positional and mobile war in detail and introduces that of guerrilla warfare which, following the lead of Mao, is recognized as possessing distinctive features; the third specializes previous observations to the cases of China, Vietnam, and Korea; the fourth summarizes what the West may learn from Mao and contains political, military, and psychological policy recommendations.

The orientation of any interpretive work of this type is heavily influenced by the background of its author. A former officer of the British Army who resigned his commission in the Royal Artillery to

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pursue military studies, Elliott-Bateman has had signicantly more exposure to the strengths, prejudices, and thought processes of professional military minds than have most of the civilian American (and British) analysts who write on Chinese military affairs. This experience lends verisimilitude to his military evaluations of passages from Mao dealing with supply, intelligence, and command. On the other hand, despite his current niche as lecturer in the department of government at the University of Manchester, Elliott-Bateman is not a professional academic specialist on either China or Southeast Asia. Source materials utilized consist largely of the *Selected Works* of Mao Tse-tung in various English translations, Giap's *People's War, People's Army,* and the writings of a handful of other worthies from the late Bernard Fall to J. K. Galbraith—quotations from all of whom are sprinkled liberally through the text.

Defeat in the East is thus vulnerable to attack on grounds of superficial documentation. Such an attack would be true, but not the whole truth. The tone of the writing is modest; and many points made are both accurate and original (enumeration, for example, on page 73 of ten-odd cardinal errors of Western commanders confronted with a map of jungle terrain and a problem concerning an enemy force of the same capabilities of the Vietminh). "Western troops in South-East Asia," writes Elliott-Bateman (p. 208), "are rather like an association football team that has entered a major football tournament overseas under the impression that it [the tournament] must be small fry. . . ." Developing very cleverly the analogy between the two military cultures on the one hand and the difference between soccer and rugby on the other, he concludes, "If those such as the Vietcong cannot be persuaded to play our game, we should enter theirs only when we are certain what the game is and have a thorough understanding of its basis." He proceeds to furnish concrete suggestions, ranging from the level of individual combat training to that of geopolitics, about how a Western army may best condition itself both psychologically and militarily for combat against indoctrinated Communists in Asia. The suggestions are targeted largely on the British Army, of which he is highly critical; but both American military men and civilians may read and ponder them with profit. Given its theoretical and methodological shortcomings, Elliott-Bateman's book is practical, realistic, and readable.

SCOTT A. BOORMAN
Cambridge, Mass.

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Contest Over Japan *by Herbert Feis. New York, W. W. Norton, 1967.—vi, 187 pp. $5.00.*

In contrast to Feis' earlier impressive volumes this is a frustrating and disappointing book. Its major defects derive from the nature of its documentation, the superficiality and subjectivism of Feis' analysis, and its limited scope—it is confined almost entirely to the events of 1945.

Contest Over Japan contains no bibliography, although Feis sketchily lists his principal sources. Its most important limitation stems from the absence of text footnotes. This absence presents real methodological problems for the scholar and general reader and reduces the value of Feis' narrative. In sections of the story Feis' sources are obvious and reliable—Harriman's notes and memoranda or the records of the Potsdam, London, or Moscow Conferences. In other sections it is difficult to discern whether Feis has based his account on primary sources, on postdated and less reliable sources (Truman's or Byrnes' memoirs, noncontemporary interviews), or is making a personal judgment as opposed to recording a fact.

More to the point, Feis' thesis does not stand up to critical analysis. He suggests that from 1945 to 1952 the United States and the Soviet Union were involved in a contest over the control of Japan. The diplomatic issue centered not on control but on the nature of the Soviet occupation role. Soviet interest in Japan, reflected in part in its willingness to accept U.S. dominance, was predicated on a desire to define its postwar role in Japan as a test of American good faith, and in return for assent to U.S. dominance in Japan to secure U.S. acceptance of Soviet dominance in Eastern Europe. The book's real defect derives less from this distinction between control and role than from the major question why postwar diplomacy assumed a rigid character and why the seeming cooperation and hopes of 1945 became frustrated in succeeding years. Here, because Feis fails to consider basic questions posed by the nature of U.S. diplomacy in 1945 and 1946 and the leading personalities, his account is sorely deficient. Principally at issue was Stalin's conception of U.S. policy-making as this was shaped by his own domineering role and his earlier relations with a forceful Franklin Roosevelt. Truman's ascent to power altered the character of United States-Soviet relations. As Feis reveals, Truman played a secondary policy-making role and had not even been fully informed or consulted by Byrnes about major policy decisions of the London and Moscow Conferences. Similarly, U.S. policy toward the Soviet occupation role in Japan assumed a tripartite character, owing to Truman's ignorance and vacillation, Byrnes' shifty, duplici-

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tous approach, and General MacArthur's arbitrariness. These factors require some exploration as to policy ramifications. In short, to what extent did Stalin conceive of U.S. policy as unitary and how did the shifting, contradictory nature of U.S. policy, because of this tripartite character, contribute to doubt and suspicion? And, to what extent did Byrnes' shiftiness and MacArthur's arbitrariness contravene American protestations of openness and create doubt and undermine trust?

Lastly, this book effectively covers only the events of 1945 and does not analyze in appropriate depth the events of 1946-52. The history of postwar occupation policy is sketchily covered; the analysis of the impact of the cold war (specifically developments in China and Korea) on U.S. policy toward Japan is insufficiently explored. Moreover, Feis fails to assess the most important postwar U.S. policy change involving Japan—the formulation and ratification of a peace treaty.

A potentially valuable book, *Contest Over Japan* requires considerable reworking: annotated footnotes or bibliography, a more thorough analysis, and the completion of a presently fragmentary story. As it now stands, Feis study has limited value: the insights it offers into U.S.-Soviet diplomacy from the Potsdam through the Moscow Conferences.

ATHAN THEOHARIS
Wayne State University

Conversations in Japan *by David Riesman and Evelyn Thompson Riesman. New York, Basic Books, 1967.—xii, 371 pp. $7.50.*

Conversations in Japan is a travel book of an exhaustive and to some extent exhausting nature. The authors, David Riesman and his wife Evelyn Thompson Riesman, spent two months in Japan during the autumn of 1961 under the sponsorship of the Japan Committee for Intellectual Interchange, an intercultural program that brings foreign lecturers to Japan each year for a month or two. Riesman's work is translated and well known in Japan, and as a member of the now extinct Committee of Correspondence he is also respected as an American academic who can appreciate the Japanese concern for peace.

The Riesmans' visit to Japan came at a time when Japanese intellectuals were particularly disenchanted with the United States. There had been riots to protest the signing of the Japan-United States Security

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Treaty, and even the tactful efforts of Ambassador Edwin O. Reischauer to achieve a dialogue with Japanese intellectuals were resented on the grounds that he was only representing American policy and that, worse, his persuasive charm was undermining the solidity of the leftists' position. Not that the Japanese academics did not find the Riesmans charming—quite the contrary—but they were able to accept them as independent and unofficial visitors, fellow-scholars rather than ideological opponents.

The Riesmans pursued their plan of meeting Japanese from as many circles as possible with an assiduity that even a Japanese politician on a goodwill junket would have respected as taxing. Although most of the people the Riesmans met were academic or students—albeit of many shades of opinion—they also met tycoons, architects, Buddhist theologians, journalists, factory managers, doctors, artists, farmers, craftsmen, housewives, children. Their book is compiled from diaries both kept during the trip.

As such it shows a remarkable tact and perceptiveness in communicating with a people who are exceedingly articulate but not always very open. There are limitations to the book: it might have been organized into subjects, for instance, rather than left in consecutive dialogues. More seriously, the Japanese are fond of making abstractions about the nature of their society, which abstractions do not always bear much relation to actuality, the Japanese not being at their best in abstract thought. The book must be taken as an anthology of Japanese social thinking, but not as a study of Japanese society. Riesman does venture his own definitions of the society, but remarkable and stimulating though they are one feels they were of necessity based too much on other people's observations and opinions. Still, there is no other work as comprehensive in showing what the Japanese think of themselves.

MARY EVANS
New York City

An Uncertain Friendship: Theodore Roosevelt and Japan, 1906-1909 *by Charles E. Neu. Cambridge, Mass., Harvard University Press, 1967.—x, 347 pp. $6.95.*

This penetrating study covers in rich detail the Japanese-American crisis that preoccupied Theodore Roosevelt during the final three years

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of his presidency. Professor Neu utilizes a sweeping approach to diplomatic history, enlarging his focus to include those domestic factors here and elsewhere which delayed the 1908 *détente* with Tokyo.

Neu boldly challenges previous interpretations (including the recent work of Raymond E. Esthus) and his book is studded with sparkling thumbnail historiographical glosses. His own conclusions command attention, for they rest upon an unusually wide range of manuscript and archival material, the fruits of thorough and unhurried research.

The author argues persuasively that insufficient attention has been paid to the influence of domestic political factors upon T. R.'s Far Eastern diplomacy. We are told that while the President kept long-range diplomatic goals in mind, he was first and foremost a Republican politician anxious to insure the continued success of his party. Neu subjects his sources to acute scrutiny, for the verbose Roosevelt used language not to reveal his own inner motivations, but rather to persuade his readers and listeners. Generally speaking, the Rough Rider's historical reputation bears up well under this pitiless probing. The President was, Neu finds, "shrewd, skillful and responsible." While his basic assumption that Japan would use her hegemony in the Far East prudently was not borne out by subsequent events, Neu feels that Roosevelt's conclusion was justified in the light of the evidence that crossed his desk.

The author makes some surprising points, for no previous writer has examined this protracted crisis with sufficient diligence to recreate the complexities of the situation. Thus we find that the original Gentleman's Agreement of February 1907 failed to operate successfully for over a year and only began to function satisfactorily after many subsequent negotiations. While our soon-to-be ally, Great Britain, refused to press Tokyo to come to terms with Washington, our future enemy, Germany, made astonishing offers of help in order to cut Nippon down to size. The book treats naval matters in detail for the President used the international contingency to renew his demand for more battleships. Yet, for all of T. R.'s zeal, our naval ratio vis-à-vis both Germany and Japan declined during his years in the White House. Secretary of State Root, by nature much more restrained than his chief, seemed to equal the latter in trying to blow the Japanese crisis out of all proportion. Nonetheless Neu feels that some writers have been too severe in condemning T. R.'s characteristic habit of fire-eating. The President did not expect war, but he realized that some unexpected incident might precipitate the conflict and he held it his duty to prepare the armed forces for this eventuality.

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Neu's expertise in the handling of ambiguous and controversial evidence and his cogent divining of motivations make him a welcome addition to the corps of American diplomatic historians. Unfortunately, this otherwise excellent book is marred by a few avoidable slips. McKinley did not make the speech here cited "the very day of his death" (or on the day of his fatal wounding); Nicholas Longworth was not T. R.'s brother-in-law; and some words or paragraphs are evidently missing between the bottom of page 279 and the material which follows.

SELIG ADLER
State University of New York, Buffalo

Democrat and Diplomat: The Life of William E. Dodd *by Robert Dallek. New York, Oxford University Press, 1968.—ix, 415 pp. $8.50.*

William Dodd, Professor Dallek tells us in his preface, was a "brilliant" lecturer, a "significant" historian, a "tireless fighter for progressive advance," and "a far more successful ambassador than we have been inclined to think." His biography only partially sustains this evaluation of Dodd's achievements. A brief but perceptive analysis of Dodd as a teacher reveals him as a provocative but disorganized lecturer who was happiest and most effective in conducting small graduate seminars. His historical writing tended to be superficial and derivative, possessing, as Dallek notes, flashes of interpretive insight but lacking in solid scholarship. Dodd apparently had no taste for intensive research; he spent the last two decades of his life contemplating a four-volume history of the South, but he completed only the first part, "a generally unsuccessful discussion of the seventeenth-century southern colonies" (p. 335). Dallek is more successful in supporting his description of Dodd as an ardent progressive who spent much of his time trying to make history relevant to contemporary social issues, dabbling in state and national politics, and keeping alive the spirit of Wilsonian idealism in the bleak years of the nineteen-twenties and thirties. But the author finally concludes that Dodd's public career never gained him "a central place in the counsels of the nation or the party" (p. 334).

Dodd's most significant achievement was his contributions as ambassador to Germany from 1933 to 1937. Chosen by Roosevelt only after four other men turned down the post, Dodd entered into his

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Berlin assignment with inflated hopes of improving relations with the new Nazi government. Handicapped by a contempt for professional diplomats, especially wealthy Ivy Leaguers whom he felt ran the State Department, and by an idealistic faith in the League of Nations, Dodd nevertheless proved to be an astute observer of the deteriorating European situation. Repelled by Hitler's totalitarian regime, he combined accurate reports on Germany with an increasingly insistent call for a bolder American response to the spread of fascism. Out of step both with his superiors in the State Department, who treated him as a bungling amateur, and with American opinion, which had become strongly isolationist, Dodd gradually lost favor with Roosevelt. He resigned in the fall of 1937 and died early in 1940, filled with a sense of frustration and failure, at the very time that Roosevelt and the American people were finally coming to realize how right he had been.

It is a tribute to the honesty of the author's scholarship that he presents the reader with evidence that casts doubt upon his own estimate of Dodd's career. Dallek combines thorough research in manuscript sources with a lively style to produce an interesting and provocative study of a nineteenth-century Jeffersonian democrat who had only a marginal impact on twentieth-century America.

ROBERT A. DIVINE
University of Texas, Austin

Petroleum Pipelines and Public Policy, 1906-1959 *by Arthur M. Johnson. Cambridge, Mass., Harvard University Press, 1967. —xx, 555 pp. $15.00.*

Professor Johnson relates a chronology of the growth of crude-oil and oil-products pipelines and an appraisal of federal and state legal processes as these bore on pipelines, from inclusion of the lines under Interstate Commerce Commission jurisdiction in 1906 through two generations of eventful change in the oil industry. The book applies intelligence and discriminating analysis to sprawling, often ambiguous data. It gives the benefit of doubt more often to the regulated than to the regulators. But the analysis is generally persuasive enough to put upon a critic the burden of going forward with other evidence. In any case, the book shows convincingly that we cannot learn the history of legal regulation of the economy merely from formal legal sources;

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technology emerges as a more dynamic factor than law in the story Professor Johnson tells.

State law-making and one strand of federal policy centered on treating pipelines as common carriers. This approach accepted the lines as enterprises which by functional necessity held significant power over independent producers and refiners, and undertook to legitimize them by regulating their rates and services. Another view, expressed mainly in federal legal processes, saw pipelines wielding power inconsistent with free markets, and therefore posing antitrust issues. For both approaches the pivotal fact proved to be the trend of the industry to integrate the bulk of pipelines into the operations of the larger refiners; thus most of what the lines carried belonged to the lines' owners. Professor Johnson rebuts the recurrent complaint that the transport fees which the shipper-owners paid subsidized their marketing; given integration, pipeline charges to pipeline owners were only a matter of internal bookkeeping. The author concedes merit to some complaints of independent producers and refiners about the lines' high rates and their requirements of large minimum tenders for shipment. Complainants were unable or unwilling to muster enough sustained pressure on legislators to put administrative muscle into enforcing common carrier status much beyond what the lines would concede. Public subsidy eventually had more effect than regulation in making the carriers more careful of their independent customers. Under wartime necessity the federal government assumed the cost and risks of drastic innovations in pipeline technology. After the war integrated oil companies found it to their interest to adopt the new, proved techniques, but found, too, that to realize the benefits they must set terms which invited independent shippers to augment the shipper-owner's own volume of transport. This comparative history of government spending and government regulation as modes of shaping a situation may be suggestive far beyond the pipeline example.

Antitrust seemed the more relevant policy area to those who saw the prime economic importance of pipelines not as carriers, but as keys to markets. From this aspect law should forbid shippers to own pipelines and require divestment of those already owned. This view had a temporary victory in the 1911 dissolution of Standard Oil. In Professor Johnson's estimate, however, investment and marketing logic were against separation. As new firms emerged to major status they found that their interest lay in integrating pipelines into their operations. Absent any large-scale experience with independent pipelines, how much difference these might make to competition in oil markets must

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be matter for hypothesis. But the integrated companies' possession of the lines gave them some power to limit independent dealers' access to markets, especially when public regulation of rates was ineffective. No significant antitrust effort was made in the matter until the late nineteen-thirties. Then, under compulsion of wartime needs, a belated antitrust move ended in a consent decree which accepted integration in return for a ceiling on pipeline earnings, supervised by the Department of Justice rather than by the Interstate Commerce Commission. Again, this study is suggestive of a theme embracing a good deal more than the pipeline history: the tendency of antitrust to shift from attempting to break up concentrated economic power to accepting it and regulating its rates and services in a manner which increasingly resembles regulation of public utilities.

WILLARD HURST
University of Wisconsin Law School

Slavery in the Americas: A Comparative Study of Virginia and Cuba *by Herbert S. Klein. Chicago, University of Chicago Press, 1967.—xi, 270 pp. $6.95.*

Klein places his study of slavery in the tradition of "the new comparative historical school" (p. viii), whose origins he attributes to Frank Tannenbaum. Klein seems to think that the essential point made by Tannenbaum and his followers (Stanley Elkins, for example) is that there was a sharp difference in the nature of the slave systems and in the consequences of these systems in Latin America as compared with the United States. He asserts that this truism is the subject of recent criticism and dignifies it with the title "the comparative thesis." Then he plunges into a comparison of the institutional matrices of slavery in Cuba and Virginia which because of their "essential comparability and representativeness make them ideal models for testing the comparative thesis" (p. ix).

Tannenbaum's comparative approach was more specific than anything to which Klein addresses his own comparative efforts. There are three parts to Tannenbaum's thesis: (1) slavery as an institution was more humane in the Spanish and Portuguese colonies; (2) the greater humanity of the Iberian slave system carried over into post-abolition times and explains the absence of racial castes in modern Latin America; (3) the ultimate sources of the distinctive features of Latin American

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race relations are to be found in the Iberian maintenance of Roman legal forms governing slavery and their incorporation into Catholic doctrine and colonial policy.

Klein's failure to state clearly what part of Tannenbaum's theory he intends to support greatly reduces the importance of this volume. Indeed, as a measure of the confusion for which Klein must accept responsibility, let me state quite bluntly that as far as I am concerned Klein has confirmed all of the main points of criticism which have been leveled against Tannenbaum and his Brazilian analogue, Gilberto Freyre. I advance this conclusion, even though, as one of Tannenbaum's critics, Klein singles me out as having mistakenly stressed demographic factors in the genesis of the Latin American-United States contrasts (p. ix).

Klein ignores in one part of his book what he himself has written in other parts. He states in the preface that Cuba and Virginia make good comparative cases because "both states were essentially similar in the size of their population and their economic employment of slave labor." The rest of the book flatly contradicts this view. The demographic and economic histories of Cuba and Virginia are polar opposites; that is the reason Cuba and Virginia are excellent cases for testing Tannenbaum's ideas about the causes of racial castes in the United States and their absence in certain parts of Latin America. For the first 250 years of the colonial period Cuba's population and economy evolved independently of slave plantation monoculture. During this period slaves and European migrants were brought together in the context of dispersed or small-scale agricultural and industrial enterprises.

Hides were Cuba's most important export until the late eighteenth century. Both the slave and free population grew slowly and the mulatto descendants of the inevitable concubinage between solitary European males and slave females were absorbed into the "free" work force as artisans, soldiers, cowboys, and other interstitial types whose functions were fulfilled in Virginia by European homesteaders.

In Klein's own words, "The major reason for this early predominance of coloreds in the labor market was essentially due to the initial lack of heavy white migration into the island in the first two centuries of colonization" (p. 142). In Virginia, however, there was a short period of slow, exclusively white development, followed by a deluge of both white and slave laborers destined to fill the needs of tobacco monoculture. Thus in 1715 the population of Virginia consisted of 72,000 caucasoids and 23,000 negroids; by 1750 the negroids had

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reached 300,000 compared to less than a total negroid population of 50,000 in Cuba. By the end of the eighteenth century Virginia's total population was five times that of Cuba. As Klein points out the colored-to-white proportion in Cuba and Virginia tended to converge (toward 3:4) but the rhythm of demographic growth was radically different in the two cases.

Klein's misunderstanding of the theoretical significance of his own demographic and economic data increases when he crosses the threshhold of the nineteenth century. One of the reasons Cuba presents so great a challenge to the sentimental idealism of Tannenbaum and Freyre is that the introduction of heavily capitalized slave-worked sugar plantations produced a remarkable convergence toward the plantation life characteristic of the late phases of the slave-worked cotton plantations in the U.S. South (and also toward the late phases of coffee-plantation slavery in Brazil). To be completely convincing, of course, it would be nice to be able to hold the crop constant as well as to control for the source and value of investments and exports. Although we may not be able to demonstrate convergence toward the Virginia caste-system (why should we?), everyone including Klein agrees that the nineteenth-century Cuban sugar plantation is wholly unconformable with the alleged Iberian-Catholic respect for intrinsic, non-cash evaluations of the human person. Klein might reasonably be expected to inquire into the significance of this fact for his theory of history or his lack of one. He devotes himself instead to arguing that despite the enormous expansion of the Cuban sugar industry, "sugar slavery itself never consumed a majority of Negro slaves even at its height" (p. 158). Thus Klein triumphantly confirms his comparative thesis that Cuba and Virginia had different systems of slavery while obliterating his other contention that their economic employment of slave labor was essentially similar.

The difference between slavery and race relations in Cuba and Virginia are almost entirely understandable through an analysis of the profound demographic, techno-economic, and techno-environmental contrasts in the two cases. The mysteries which remain after these factors are properly examined readily yield to the differential effects and scale of the ascendant and descendant political trajectories of Spanish and British dominion. Klein enjoys the distinction again and again of proving the primacy of these factors despite his best efforts to the contrary. In the crucial issue of the origin of the large non-slave mulatto groups, for example, Klein supports Tannenbaum's thesis: "the most important reason for this rapid growth was the climate of

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opinion in Cuba, which regarded manumission as a natural part of slavery" (p. 194). On the very same page, however, Klein begins his analysis of the conditions of Cuban land, labor, and technology with the observation that "the free colored community in Cuba was essential to the economy of the colony." Similarly perplexing is his forthright declaration about these factors in Virginia: "It is the history of tobacco, the mass migration of laboring whites, and the rise of the plantation system that more than anything else, determined the character of slave institutions in Virginia" (p. 164). Yet for Cuba Klein follows Tannenbaum in stressing the importance of the traditional slave codes and of Catholic intervention: the church enabled the slaves to "escape the close confines of bondage in many ways and to . . . be treated as coequal human beings" (p. 105). Thus Klein's volume is a mass of contradictions, the price which is always paid when eclecticism substitutes for theory.

MARVIN HARRIS
Columbia University

Revolutionary Politics and the Cuban Working Class *by Maurice Zeitlin. Princeton, Princeton University Press, 1967.—306 pp. $8.50.*

Maurice Zeitlin's *Revolutionary Politics and the Cuban Working Class* is the first objective study of working-class support for a nationalist social revolution in Latin America. As such, it serves at least three important purposes for political sociology and political science. First, it revives questions about political radicalism raised by the critical social theorists of the nineteenth and early twentieth centuries, whose writings receive too little attention nowadays. Second, by the use of comparative analysis, it searches for new explanations for the findings of contemporary authors in developed capitalist countries. Third, it can help North American audiences gain a sympathetic and human understanding of the causes of revolution in underdeveloped countries—both those causes which can be eradicated and those which probably cannot be.

The findings suggest that racial discrimination, the characteristics of work in small factories, and the strategic location of the sugar centrals in the structure of the working class contributed to the majority support which Zeitlin's workers gave to the revolution. These influences, whose importance might have been diminished by prudent

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leadership or economic development, were matched by others, more resistant to even the most stubborn efforts of reformers. Among these were youthful experiences with significant political events which could be interpreted as demonstrating the desirability of a social revolution, recurring structural unemployment, residence in large communities, and work dissatisfaction based on the individual's feeling of a lack of control over his work and a sense of working for another's benefit in a capitalist system.

Zeitlin's writing style is cautious, and he anticipates nearly all the major criticisms that could be made of his findings. Nevertheless, a few comments on various themes are worth making. First, it is unfortunate that Zeitlin did not ask direct questions about the Cuban workers' view of the United States. The sources of anti-imperialist thinking are still quite open to speculation. Also, as Zeitlin himself found, the lack of questions on union participation and activity before the revolution limited his analysis of the revolution's effects. The same can be said of the absence of a job history before and after the revolution. The technical difficulties and the time involved in getting this information from inteviews are great, but its absence is a weakness in most writings on the working class. As a result important sources of political orientation are obscure.

Education turned out to be an important statistical correlate in the majority support given by the workers for freedom to speak out publicly against the revolution; significantly, this tolerance is to be found among a majority of pro-revolutionary workers (Table 10.1, p. 254). Although education has been found before to be associated with tolerance (p. 251, n. 13), we still do not know what it is about education that links it to such an important aspect of political liberty. It is doubtful that the nature of education is a factor leading to tolerance for most working-class children, since discussion of politics in primary and secondary school is likely to consist of variations on the virtues of the *status quo*. Does exposure at an early age to differences of opinion in the home, however, contribute to a sense of independence and self-confidence that is both an educational asset and a prerequisite for tolerance? Or does one learn even in elementary school that talking and acting can be two very different things? Or we might move along more traditional instrumentalist lines and ask whether education may teach one that voicing discontent is the only effective way to solve problems within any worthwhile political system. Zeitlin's significant findings about the relative non-authoritarianism of Cuban workers deserve to stimulate further exploration into the roots of democratic attitudes.

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Yet the theoretical suggestions which Zeitlin offers through the book sometimes appear more impressive than the raw data. This does not seem to be the result of peculiar survey research difficulties in Cuba only three years after the revolution. As the author argues in Chapter 1, the workers' reluctance to express their minds, even in the tense atmosphere of the time, seems to have been minimal. The tolerance of dissent among workers shown in Chapter 10, and the fact that the author and his wife conducted all the interviews themselves, support his claim that the results are "quite as valid as those obtained in any survey research" (p. 22). The problem is, rather, that the sample was quite small (N=202) and also that in some cases the statistical differences between groups in the tables are uncomfortably slim. Nevertheless, Zeitlin's "theoretical preference for explanation of political behavior in terms of differential political socialization in varying types of social contexts" (p. 118) saves the survey method from sterility and can deepen our understanding of social processes far more than can mere statistical *tours de force*. However the data are broken down, there is convincing evidence of the widespread support given by workers to the revolution. This may be a corrective to the notions about the nearly inherent conservatism of workers which circulate unchecked in much literature about Latin America.

PATRICK V. PEPPE
New York City

Colombia: The Political Dimensions of Change *by Robert H. Dix. New Haven and London, Yale University Press, 1967.—xi, 452 pp. $10.00.*

Robert H. Dix's *Colombia: The Political Dimensions of Change* is a highly important contribution to the social science literature of Latin America and particularly to that of Colombia, which up to now has seldom received the incisive treatment that this volume gives it. The author, formerly a foreign service officer in Colombia and a professor of political science at Yale University, was at the time of publication a research fellow at Harvard's Center for International Affairs. The study contains insights which obviously come from the author's day-to-day concern as a diplomat with the domestic affairs of Colombia. His mastery of the vast body of material he draws upon and his analysis of Colombia's present political realities bear the marks of a skilled craftsman.

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By focusing on the problems of political stability and change rather than on the formal functioning of political institutions, Dix represents the modern political science approach to development. His contention, reasonable and well argued, is that Colombia represents a distinctive approach to the problems of modernization. Other Latin-American countries have responded to twentieth-century problems with totalitarian modernization (Castro's Cuba), democratic single-party mobilization (Mexico), populistic authoritarianism (Perón's Argentina), constitutional democracy (contemporary Chile), military rule (present El Salvador), and dictatorship (Pérez Jiménez' Venezuela). Colombia's contemporary reforms, in contrast, have been conceived and directed by a modernizing elite.

Today the elites (agricultural, industrial, religious, and military) have ended intra-elite conflict and also are protecting themselves from threats from below through their domination of the National Front, formed in 1957 by the poly-class Liberal and Conservative parties as a means of reducing political tensions. The author examines those parties in considerable detail to determine how the political elites have maintained power since 1930. With remarkable impartiality he explores a broad range of possible factors in his search for explanations of Liberal and Conservative party viability. Especially well treated are the political system's ecological base, the pattern of social stratification, the political culture of Colombian society, the established or pre-modern institutions and their adaptation to change, and the peculiarities of an electoral system which fosters party control and reduces voter influence.

Dix's approach provides fresh insights into the last three decades of Colombian political history. For example, he sees the rise of Gaitán, the *bogotazo* and enduring rural violence, the dictatorship of Rojas Pinilla, and the emergence of the National Front as events influenced by the "hereditary hatreds" between the traditional Liberal and Conservative parties, and not exclusively as the results of popular pressures from below. Dix is thorough in his treatment of the oft-forgotten or at least oft-ignored counter-elites. His hypotheses as to why they have not meaningfully challenged the traditional elites are provocative. He finds that a strong regionalism has worked against their unity. He believes that widespread ownership of land (small though the plots may be) has kept political tensions down in the countryside and that the inconspicuousness of foreign investment has had a like effect in the urban centers. He argues that elite absorption or co-optation of middle-sector "climbers" has deprived the counter-elites of what could have provided them with informed, responsible leadership. He further con-

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tends that the effectiveness of the counter-elites and of the third parties that might have represented them have been stifled by the elite's demonstrated capacity to respond to pressure from below, but he is careful to make clear his doubts about their ability to respond to such pressures in the future.

This indispensable book does not contain much for those seeking replicable materials; it is substantively rich for those concerned with the comparative study of the politics of modernization.

JOHN J. JOHNSON
Stanford University

Léon Blum et le parti socialiste: 1872-1934 *by Gilbert Ziebura, translated by Jean Duplex. Paris, Librairie Armand Colin, 1967. —405 pp. 40F.*

French evaluation of this book by a German historian is evidenced by the cooperation of the Centre National de la Recherche Scientifique in its publication, probably in appreciation of Ziebura's objective and detailed account of Blum's career. The book has been meticulously researched and documented. Future historians may well rely on it, though they may question the evaluation of this enigmatic character whose full impact on France cannot yet be fully appreciated.

The extent of detail and the book's organization may restrict it to the serious scholar. Few students will welcome the minute analysis of the development of socialist ideology or the shifting of factions within the party. The choice of topical organization may lead to irritation at the repetitive examination of the same years to determine Socialist views of politics, economics, and foreign policy. Misunderstanding may arise from this division of the doctrine as, for example, in the slight distortion of Blum's position on the financial crisis within France separated from his policy on reparations.

Yet Ziebura's interpretation is just. First, he gives a fine account of socialism before 1914 and firmly places Blum in the context of his estheticism, his association with Jaurès, and his growing commitment to Socialist ideology. Here Blum is depicted as a man formed by classicism whose life-style is modeled after the classical ideal. Blum is rightly shown to put his faith in the immanent logic of things and the rationality of historical evolution. Because of his humane idealism, he questioned the mechanism of dialectical materialism as a simplistic ex-

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planation of historical development. He was a pacifist, a quasi-mystical one, says Ziebura, and understanding of his pacifist convictions is prerequisite to comprehension of his full doctrine.

The author develops the theme of pacifism to demonstrate Blum's greatest weakness, particularly when his intransigent pacifism was mingled with militant anti-fascism. Perhaps Blum's greatest error was his first evaluation of racist Nazism as no more than a virulent form of nationalism differing only in degree from the nationalism of a Boulanger.

Lastly, Ziebura examines the doctrine as it was tested by political realities. The reader is so struck by the many splits within the party that he wonders how Blum was able to hold the party together at all, and he senses Blum's need to develop a distinction between the exercise of power and the conquest of power as a means of reconciling the many factions. That the doctrine could not prevent scission in 1934 when the neo-Socialists left the party is brilliantly explained. One sees, too, the provincial nature of the party which failed to recognize the importance of world depression or of Hitler's assumption of power, to cite only two examples. One realizes the importance Blum attached to party doctrine, which he felt compelled to preserve even when ideology conflicted with national interests.

As the first of two volumes devoted to Blum and the Socialist party, no conclusions can be drawn about the years before 1934, but Ziebura suggests that Blum's curious support of but refusal to join with Radical-Socialist governments kept his party from being swallowed up by the mechanism of the Third Republic as happened during the Fourth. The validity of his judgment must depend on analysis of the later years. Certainly the test posed by party leadership cannot compare to the rigorous testing of doctrine and personal capacities posed by national leadership in 1936-37.

LOUISE DALBY
Skidmore College

Maxime Weygand and Civil-Military Relations in Modern France *by Philip Charles Farwell Bankwitz. Cambridge, Mass., Harvard University Press, 1967.—xiii, 445 pp. $10.00.*

Maxime Weygand, possessor of the "secrets of Foch," recalled to service at the age of seventy-three, became the hapless generalissimo of the

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French army during its consummate disaster of June 1940. His passionate refusal to use the army as a shield for the state in defeat toppled the Reynaud government and prepared the advent of Vichy. Neither resistant nor collaborator, he—in his acts and person—became the hinge of scarified postwar controversy. He survived many of his defenders and detractors, emerging from the national ordeal with absolution if not with honor, and he long outlived his nemesis, the "durable" Third Republic, whose ambiguous executioner he had been. Just as the career of another Methusaleh, Fontenelle, spans the *Grand Siècle* and the Age of Reason and becomes an image of French history itself, could not the public life of Weygand supply a similar elucidation?

Philip Bankwitz has given an enormously informed and erudite reading of the uses of the life of Weygand with its outlet on the crises of society and of civil-military relations. This solid work, resting on a generation of labor and assessment, is apt to be definitive for several of the problem areas it covers. Although the fine achievement is won at the cost of certain imbalances and a truly excessive thicket of textual apparatus (about one-third of the written matter), it joins the grand tradition of scholarship and probity. Virtually everything relevant has been located and digested.

At the outset three themes are announced: the civil-military crises of the early nineteen-thirties; their effect on Weygand and his colleagues; and the role of Weygand and the military chiefs in 1940. In truth, the third aspect is treated as the consequence of the previous two, not in an attempt to justify the leading character (Professor Bankwitz handles Weygand much more harshly than in his earlier dissertation), but to explain the complex rancor between government and army in the face of the "diminution of the state." There is also a fourth theme, which Bankwitz knows so well, muted but always audible: the biography of a Belgian bastard (who never knew his parents' identity) seeking the balm of devotion in a leader, Foch, but more saliently in the vast ocean of service and those incarnate truths of fatherland, religion, tradition, cavalry, army. Personal and public experience, it is suggested, combined to create Weygand's "belief in the old system and in the strict compartmentalization of the military and civil spheres" and his "[desperate] searching for his prime need, authority, where there was little or none of it" (p. 79).

This dichotomy leads to what, in Bankwitz' view, will be a natural irony: the unlucky role of the army's conventional defender as the orchestrator of its abdication from the republican state in favor of a *pays réel* manufactured in its own image. In effect, this book is the

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vast vertical history of a decision. Bankwitz sees Weygand's political intervention at Cangé and Bordeaux as an event prefiguring June 18 and the whole recent cycle of military disobedience. While there is no doubt that Weygand wished to pass the guilt to the politicians, one may still feel that the posterior lineage is overstressed. Those were not cool times; civil authority was crumbling in camarillas; and, as we are told, "[Weygand] stumbled into his act of 1940 . . ." (p. 379). Later doctrines of disobedience had comparable but diverse sources.

Many things are of great interest, not least an absorbing chapter on "army, nation, and regime." The blunt assertion that "the sixth of February [1934] is . . . a true watershed in contemporary French politics" and that Stavisky is the Third Republic's Rasputin (p. 203) is arguable but well argued. Finally, one must ask whether the man Weygand is an entirely adequate focus for what the book seeks to analyze. Since "France's leading soldiers were not presenting anything like a united front against the civilians as the war drew closer" (p. 276), he may be at best a negative symbol. At any rate, when we have known Weygand better, thanks to this penetrating study (which correctly reasserts his importance), we must agree that "a real *grand chef* was needed. . . . Weygand's only defect was that he was such a typical member of his military generation" (p. 166).

GEORGE ARMSTRONG KELLY
Harvard University

Judicial Politics in the Old Regime: The Parlement of Paris During the Regency *by James D. Hardy Jr. Baton Rouge, Louisiana State University Press, 1967.—vii, 225 pp. $6.50.*

This book narrates the Parlement's emergence as a political force in France after Louis XIV's death, and then analyzes its decline down to the exile to Pontoise in 1720. This narrative is well known, especially after the publication of Dom Leclercq's monumental *Histoire de la Régence* in 1925. The author's account is lucid and well researched, and the constitutional issues are brought out clearly because he has used some documents which either Leclercq did not know or chose not to use.

On other matters the author's judgment is less sure, perhaps as a result of seeing things as opposites a bit too much, rather than as

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shadings or degrees of the same thing. For example, his remarks on the social position of the *parlementaires* seem extreme: "The term *robe* signified a job, not a rank in society, and to think otherwise is a fantasy" (p. 21). On the next page, however, he concludes that for Mesmes the "fact that he was a First President of the Parlement [was] something far more important in the eyes of his contemporaries than any other title he might have." Did this not help to fix his rank in society? Nor should the distinction between titles, estates, and offices be as great as he makes it, especially after the works of Franklin Ford and François Bluche have demonstrated that it is impossible to do so.

The same difficulty crops up in the discussions of the religious quarrels. Stamping out Jansenism, to be sure, was something the Papacy desired, but even more, it had long been a royal policy which had led Louis XIV to seek help from Rome. Nor was Louis' pressure to have *Unigenitus* accepted so clearly an ultramontane policy as the judges argued or the author suggests. Just how Jansenism became a general focus for opposition to the royal authority has never been elucidated, but a careful reading of E. Lavisse's own volumes in the *Histoire de France* (1911) might have helped, as would H. Carré's in the same series. Perhaps Lavisse is too obvious to be cited in a bibliography, but for the subjects discussed he does not deserve the neglect which he appears to have had in this volume.

It must be reiterated, however, that the author has tackled very difficult questions which are significant. In the Regency the political subtlety of French statesmen reached new heights, and nothing appears to have been what it was called as ideological divisions gave way even more to a battle for places, influence, and pensions. The Regent himself, whom not even Leclercq succeeded in understanding, appears again here as the superb political strategist who moved behind the scenes and always appeared carefree. Philippe d'Orléans, a truly successful Regent, deserves more careful study, as does Dubois, after the manner of J. H. Hexter's analysis of John Pym, for they were skilled politicians at once pragmatic and resolute in purpose.

The atomization of power after Louis XIV's death led men like Philippe to attempt to use the Parlement for their own purposes. Realizing that he was playing with fire, Philippe moved carefully, and was largely successful. Once the Polysynodie of councils had done much of the dirty work of liquidating a heavy debt, it, too, suffered defeat, in part at the hands of the Parlement, which, after serving a purpose, also suffered humiliation. The author's account of this most interesting and crucial period of the *ancien régime* is welcome indeed,

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for it provides a well-written introduction to subjects which deserve to be better known.

OREST RANUM
The Johns Hopkins University

Preussen zwischen Reform und Revolution: Allgemeines Landrecht, Verwaltung und Soziale Bewegung von 1791 bis 1848 *by Reinhart Koselleck. Stuttgart, Ernst Klett Verlag, 1967.—732 pp. 84 DM.*

Agrarische Interessenpolitik und preussischer Konservatismus im wilhelminischen Reich (1893-1914) *by Hans-Jürgen Puhle. Hannover, Verlag für Literatur und Zeitgeschehen, 1966.—365 pp. 28 DM.*

These two historical studies are guided by fairly definite analytical intentions. The investigation of the earlier period seeks to discover how far the Prussian Code (*Landrecht*) and the administrative state, established in 1823, furthered industrialization and the "social movement" prior to 1848. The purpose of the study on the League of the Farmers was to ascertain whether this was an interest group, a political party, or a mass movement, and how far the League exerted an influence upon government and parliament during the last phase of Imperial Germany. How far could these aims be realized?

The attempt of Mr. Koselleck to bring out the central ideas of the Prussian Code is interesting but hardly relevant to his main theme. Most of the general rules, beneficial to private concerns, were either stated only in the preamble or were deleted in the process of adopting the code. More pertinent is the discussion of the policies of the administrative state in either promoting or hindering the development of industry. Yet the analysis of these interacting political and economic forces is not fully satisfactory because it often remains obscure how far the administrative actions were beneficial or detrimental to particular firms or industries.

The main achievement of the author lies elsewhere. He gives a very interesting description of how the administrative state pressed the different interest groups into legalized status positions so as to deprive the bourgeois groups of their political rights but enable the nobles to retain their privileges. Unfortunately the analysis of this successful part of the

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book is not penetrating enough to permit a generalization on the nature or policies of this particular administrative state.

In contrast, Mr. Puhle advances several interesting hypotheses, but they cannot be united into one consistent theory. He correctly rejects the notion that the Farmers League was a political party. His extensive information quite clearly supports his main thesis that the League was a mass movement which aimed at restoring the privileged position of the agrarian nobility by building up a mass following for its particular economic, political, and ideological programs. When it comes to analyzing the nature of this mass movement, however, the author goes astray. Attracted by Schmalenbach's "sociological category of the Union" (which is offered as an addition to Tönnies' Community and Society), Mr. Puhle declares the League as an example of the union. In spite of the unusual mastery of his material the author fails to show concretely how and why the League was a union. His extensive evidence merely shows that the League was an effective interest group that soon developed into an ideologically oriented mass movement.

The wrong thesis on the nature of the League involved three fatal consequences that impeded the successful organization of the book. The extensive pressures of the League to get its particular economic interests translated into laws is not made the center of the investigation but is presented incidentally as part of the League's relations with political parties. While establishing the fact that the League was organizationally dominated by the large landowners the question is never considered as to what other kinds of agrarian interests had to be promoted so as to get and hold the loyalty of the peasants. The extensive array of facts convinced this reviewer that the League was the first historically known case of a *restorative* mass movement that is different from but of similar significance as the revolutionary, evolutionary, and counterrevolutionary mass movements (see Arthur Schweitzer, "Ideological Groups," *American Sociological Review*, IX [1944], 415-26). In failing to place his evidence within this framework, the author missed the excellent opportunity of making a major contribution to the theory of mass movements.

ARTHUR SCHWEITZER
Indiana University

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Der österreichisch-ungarische Ausgleich von 1867: Vorgeschichte und Wirkungen *edited by P. Berger. Vienna and Munich, Verlag Herold, 1967.—233 pp. 238 öS.*

Copious legal and political literature on this subject was compiled during the last half century of the Habsburg monarchy's existence. Many of those works were written from a German national, German centralistic, or Magyar national viewpoint and more often than not biased in one or more directions. Yet they served a definite purpose inasmuch as the Compromise, for better or worse—and more often for the latter—was a vital, though never the most vital, link between the two component parts of the Habsburg monarchy. Not the legal superstructure but the limitation of the conceivable consensus between the ethnic and social groups in part or full on both sides of the Leitha River was the true leitmotif of the Austro-Hungarian relationship.

One wonders whether the new avalanche of articles and conference reports written in commemoration of the centenary of the Compromise does not emphasize the less important facets of the association between the dual states. Anyway, its constitutional aspects as seen from the vantage point of the present seem far more aged than many another historical problem. Anybody who, like this reviewer, has contributed to the commemorating of this centenary of modest significance should be aware of this basic fact.

If a volume on the import of the Compromise has thus its limitations, this is anchored in the nature of political and social developments and is not in any way the fault of the authors. In fact, most of the contributions dealing with such problems as the Austrian, Hungarian, Croatian, and Austro-Hungarian legislation of the era of the Compromise and their legislative, ecclesiastic, economic, military, and also political preconditions and consequences are useful. Two generations ago it would have been necessary to read two or three essays of similar scope by authors of different persuasions to get a balanced picture of any specific problem. Now, in regard to a number of issues discussed in this book, perusal of one will do, provided one accepts the underlying premise of publisher and sponsor, the "Forschungsinstitut fur den Donauraum": the positive though not uncritical evaluation of the achievements of the Habsburg monarchy in the era under discussion. Historical distance thus has had a salutary effect on objectivity, an accomplishment far less obvious than it seems.

ROBERT A. KANN
Rutgers University

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Germany Without Bismarck: The Crisis of Government in the Second Reich, 1890-1900 *by J. C. G. Röhl. Berkeley and Los Angeles, University of California Press, 1967.—304 pp. $9.00.*

The central theme of this admirable monograph is the struggle for political power in Germany after Bismarck's dismissal. This struggle, the author contends, lasted for seven years. In the end the Kaiser triumphed over chancellor, ministers, bureaucracy, and Parliament, and emerged as the decisive figure in the German government.

The victory of the Kaiser, however, did not resolve the problem of the relationship between the executive and the legislature, or between the state and society. Bismarck's immediate successors had attempted to gain the genuine support of "honest men," regardless of party allegiance, but they eventually realized that no genuine consensus could be arrived at. Dr. Röhl argues that after 1897 the Kaiser reverted to Bismarck's method of riding roughshod over the wishes and interests of large sections of the community and of "constantly resorting to unscrupulous methods." The only groups whose interests he and the new men appointed by him attempted to satisfy were the large landowners and industrialists. In the hope of making his authoritarian regime acceptable to the man in the street, the Kaiser and his government "decided quite deliberately to pursue a spectacular foreign and colonial policy, and to whip up enthusiasm for the Grand Fleet. . . . In 1897 Germany's new leaders took the road which led to diplomatic isolation, war, and the collapse of the monarchy."

Dr. Röhl raises the question whether the German catastrophe could have been avoided if "responsible statesmen" rather than the Kaiser had emerged victorious from the power struggle of the eighteen-nineties. He answers, quite rightly in my opinion, that the Kaiser would almost certainly have responded to any serious threat to his authority with a coup d'état, which might have led to foreign or civil war, to dictatorship or democracy. Confronted with this danger, "even the strongest opponents of Wilhelm's personal rule regarded giving way as the lesser evil."

Was there, then, no hope for Germany after 1890? Dr. Röhl evidently does not think so. The predominant role allotted to the executive in Bismarck's constitution, and the fact that this executive was backed by a powerful army whose officers corps was loyal to the crown, allowed Wilhelm II to exercise his personal rule with no effective check. He could only be ousted, as he finally was, by defeat in a foreign war.

With his emphasis on the importance of the Kaiser's personal rule, Dr. Röhl is certain to be criticized, as was Erich Eyck before him,

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by historians who seek deeper causes of the German catastrophe in the German character or the nature of German society. Dr. Röhl pays due regard to social and other forces around the Kaiser; in fact, he considers Wilhelm II to be more representative of his age than either Bismarck or Hitler. But an age may produce a wide variety of representatives, and Dr. Röhl maintains that the Second Reich was unlucky in the man fate chose to rule it. His examination of the formulation of German policy, crisis by crisis, all of it based on solid documentary evidence, gives his thesis of Wilhelm's personal rule a frightening validity, and once again illustrates the importance of the individual in the history-making process.

NORMAN RICH
Michigan State University

The Ordeal of Total War, 1939-1945 *by Gordon Wright. New York, Evanston, and London, Harper & Row, 1968.—xv, 315 pp. $7.95.*

This final volume in the distinguished Langer series is not a history of battles but an exemplary study of how the war reflected and affected the course of European history. Gordon Wright has succeeded in one of the historian's most difficult tasks, the lifting of recent events and upheavals to the level of historical understanding. We have had memories, memoirs, and a multitude of monographs before; we now have a carefully wrought synthesis based on the existing literature in all major European languages and covering all facets of this second total war in European history. Other historians, prompted perhaps by current political passions, may seek to overturn many of our present views on recent history; they will have to reckon with this solidly researched and argued work.

By happy design, the format of the Langer series and the author's perspective coincide, for both prescribe the broadest possible view of history. War has always been much more than the clash of arms, and a total war imposes total involvement on all belligerents. Military events are like the proverbial iceberg; their basis in preceding decisions and in different styles of national life often remain obscure. Wright probes the economic, psychological, and scientific dimensions of the war, and he points to the connections between decisions and developments in one realm and another. The focus is not on the major powers alone. The small neutrals get their due. If there is a drawback to the

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series that affects this book in particular, it is the paucity of footnotes. The critical bibliography compensates for this, but in a book so full of minor corrections to common belief the reader often wants to know the specific sources for a particular statement.

Wright successfully compresses the political and military history of the war. He emphasizes the narrow margin of Allied survival in the first half of 1942. The resiliency of the Soviets and the growing marshaling of Western resources defeated the Third Reich, but Hitler's own "authoritarian anarchy" (p. 69) and his continuous drifting contributed to the outcome. In the end the Allies managed the total and rational mobilization required by the war better than did their allegedly monolithic enemies. Victory was not a foregone conclusion, however, and the peoples of Europe had to shape their response to Hitler's New Order without initially having the comforting certainty that it was but a passing monstrosity. Wright analyzes the options that were open to the defeated populations: collaboration, accommodation, and resistance. Some people of course embraced several of these options successively or even concurrently. Without sentimentality Wright pays tribute to the Resistance movements, both for weakening Hitler and for creating their own new Europe.

Wright has a particularly sharp eye for the historic continuities between prewar and wartime society and for the revolutionary impact of the war on European civilization. The burden of the past weighed heavily on the relations between the Anglo-Americans and the Soviets. The unnatural alliance was probably never as close as some observers assumed. In depicting the gradual breakdown of Allied unity, Wright holds neither side to have been blameless. He weighs much of the recent revisionist literature on the subject; the impression remains inescapable, however, that the major cause of contention lay in Soviet aspirations in Eastern Europe and Western opposition to them. After discussing Potsdam, he concludes "The accidental coalition forged by Hitler had endured long enough to destroy its creator, but now its *raison d'être* had disappeared. Imperceptibly, without any real interlude of peace, Europe and the world moved from hot to cold war. The so-called postwar era had begun" (p. 233).

It is impossible to do justice to Wright's many insights, particularly in his penetrating and pioneering effort to assess in a final chapter "the impact of total war." He is aware that the results may not be all in yet: "It may be that characters warped by the experience of protracted total war will never quite return to their former shape, and that from these warped qualities may emerge the neuroses of the next generation" (p. 254).

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Wright's work attests exceptional mastery of the sources and a fine sense for the open question, for the nuance, for the tentative hypothesis. The narrative moves easily, with a succession of felicitous formulations and memorable judgments. He writes of the "reckless insouciance" of the Poles in 1939 (p. 8), of the "moral anemia" of wartime Germans (p. 123), of the fact "that in the twentieth-century surge toward savagery, the Nazi establishment far outdid all the rest" (p. 129). He warns that "psychological warfare, like radioactivity, may have its side effects, its hidden consequences, that will emerge unsuspected in the years that follow" (p. 78). Rigorous scholarship, keen intelligence, meticulous judgment, and a lucid style mark this extraordinary synthesis of the war years. A kind of humane reflectiveness and an unobtrusive moral sense permeate the book. Its spirit is the antithesis of the dominant mood it describes—and as such, a reassuring token of our victory.

FRITZ STERN
Columbia University

Rationalism and Nationalism in Russian Nineteenth-Century Political Thought *by Leonard Schapiro. New Haven and London, Yale University Press, 1967.—viii, 173 pp. $5.00.*

Professor Leonard Schapiro's *Rationalism and Nationalism in Russian Nineteenth-Century Thought*, the published version of a series of lectures which the author delivered as McNeil Senior Visiting Lecturer in Russian History at Yale University, contains six chapters and an index of names. The slim volume begins with the "Springtime of Reform," that is, with the reign of Alexander I, the rationalism of Speransky and the Decembrists, and the nationalism of Karamzin. Next it focuses on the issue of "Russia and the West," from Pestel through Chaadaev and Kunitsin to "A. S. Pushkin, a liberal conservative." The third chapter, entitled "Granovsky between East and West," treats, in addition to the Moscow professor's "synthesis," Stankevich's "philosophic rationalism," Belinsky's "extreme Westernism" and Herzen's "oscillations," as well as the emergence of Slavophilism. "The Influence of the Great Reforms" continues the story of rationalism and nationalism in Russian thought and encompasses a wide variety of intellectuals as different as the "pragmatist" Chicherin, "the main precursor of Bolshevism: N. G. Chernyshevsky," and "D. I. Pisarev, Westerner and democrat." "The 'Left' and the

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'Right' of Nationalism and Rationalism" shifts attention to the government camp, but also to such new movements as populism and Marxism and such new leaders as Struve, Plekhanov, and Lenin. The study concludes with "The Lessons of the Liberal Failure," a chapter which depicts in particular Shipov's desperate attempt at "the harmonization of interests" while radicalism gains momentum and Nicholas II, on the other hand, remains as intransigent as ever.

Professor Schapiro covers well-trodden ground, but he covers a lot of it, and he tries to walk it in his own manner. Notably he makes his narrative richer and more meaningful by discussing plans of reform in government circles, especially in the reign of Alexander II, as well as critiques, projects, and ideologies of various intellectuals. The framework of the study is provided by the essentially romantic dichtomy between rationalism, understood as a conviction in the superiority of reason in making political decisions and "in the uniformity of all political development" (p. 3), and nationalism, defined as "the belief that political institutions are not made, but evolve as part of the social and historical structure of a particular people" (p. 4), a view intrinsically linked to the German concept of *Volkstum* or the Russian *samobytnost.* Professor Schapiro's dichotomy fortunately allows for nuances, the author recognizing that many Russian intellectuals combined the two principles in various proportions and manners, while some of those devoted really to only one of the two used the other manipulatively. Professor Schapiro himself extols a true balance between his two principles, the *via media* exemplified in his opinion by such intellectuals as Pushkin, Granovsky, Chicherin, and Shipov, whose "political guideline, throughout his life, could be summed up in four words: 'not conflict, but conciliation' " (p. 147). Granovsky, for example, is credited with a very remarkable and original mind, as is evident even from the very small amount of his writings which has survived" (p. 74). More importantly: "T. N. Granovsky (1813-55), perhaps the most brilliant star of the period of the Remarkable Decade, does not readily fall into any category—rationalist or nationalist, Slavophile or Westerner. In a period of polarization and extremism in thought, he stood for synthesis and balance" (p. 73). But, in spite of their merits, the proponents of the moderate way in Russia had a hopeless task. The author emphasizes, even overemphasizes, the lack of support for their point of view in the country, and he also refers repeatedly to the determined opposition of all Russian emperors within the purview of his study, from Alexander I to Nicholas II, to any limitation on their power. Indeed he tends to draw too simple and direct a line between Russian autocracy and the Soviet system.

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Professor Schapiro's interesting book is well published and attractive in appearance. Slips are few, but the important reference to Pisarev on page 113 should cite pages 190-91, not 180-81, of the work in question.

NICHOLAS V. RIASANOVSKY
University of California, Berkeley

Red October: The Bolshevik Revolution of 1917 *by Robert V. Daniels. New York, Scribners, 1967.—xiv, 269 pp. $6.95.*

Professor Daniels' detailed study of the Bolshevik seizure of power in Petrograd illustrates once again how divorced from reality is the conception, nurtured by Soviet historians and still quite fashionable in the West, that the development of the October revolution corresponded closely to a preconceived Leninist plan and that one of the major reasons for the victory of the Bolshevik party in 1917 was its monolithic character, its tight organization and discipline, and its responsiveness to Lenin's leadership. From the middle of September until the very day the Winter Palace fell Lenin, first from Finland and then from a hideout in Petrograd, issued a constant stream of frantic appeals to all levels of his party for an immediate armed insurrection against the provisional government. Yet as late as October 18, just one week before Lenin came to power, in part because of technical difficulties, but primarily because of ideological differences and disagreement over strategy and tactics, the Bolsheviks were still far from ready to stage an armed uprising. Moreover, the Bolshevik insurrection, as it was finally carried out, corresponded much more closely to tactics worked out by Trotsky than to the carefully organized mass armed thrust advocated by Lenin. While Lenin's decisive importance in shaping the October revolution cannot be denied, the implication of Professor Daniels' findings is that historians must look to factors other than party unity, determination, and decisiveness to explain the Bolshevik victory in 1917.

To a greater degree than is perhaps warranted Professor Daniels emphasizes the importance of chance in determining the outcome of the October revolution. While there is little doubt that the Bolsheviks would not have seized power *before* the Second Congress of Soviets had it not been for a series of fortuitous accidents, the possibility is by no means excluded that Lenin might have achieved his ambition of a one-party dictatorship in some other way at a later date had he not won a

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complete victory in October. At the same time the disorganization and ineffectiveness of the provisional government, the utter bankruptcy of the government and the moderate Socialists in the eyes of workers and peasants, and the dissolution and alienation from the government of the Russian armed forces both in the garrison and at the front cannot be attributed to chance. In retrospect, these factors, nowhere more graphically illustrated than in Professor Daniels' study, made the assumption of power by the Bolsheviks, the only major party not discredited by support for the government and the war, at least a fair possibility, provided, of course, that they played their cards right.

In its emphasis on the importance of accidents *Red October* departs from most non-Soviet interpretations of the October revolution. Equally "revisionist" is Professor Daniels' view of Trotsky's role in the revolution. His conclusion that Trotsky shied away from insurrection and that his actions in the pre-October period were narrowly defensive seems to this reviewer to miss the absolutely crucial importance of Trotsky's tactics of utilizing the struggle against the counterrevolution, the machinery of the Petrograd Soviet, and the authority of the Second Congress of Soviets for the Bolshevik seizure of power.

Professor Daniels draws on a wide variety of published sources from both Western and Soviet libraries in reconstructing the overthrow of the provisional government by the Bolsheviks. His fascinating "on the scene" narrative contrasts sharply with the vapid, stylized accounts of the Bolshevik march to victory currently being produced in the Soviet Union. *Red October* should be of interest to students of Russia and modern revolutions in general, though the absence of footnotes somewhat limits the book's value to the historian.

ALEXANDER RABINOWITCH
Indiana University

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Book Notes

A History of Central Africa (New York and Washington, Frederick A. Praeger, 1968; 348 pp. $7.50) by P. E. N. Tindall is assured of becoming an approved text for state schools in Rhodesia. It is eminently safe, avoiding as it does the important controversial issues in the history of Rhodesia, Zambia, and Malawi. Political and social comment is missing. This prodigy of avoidance is accomplished by reverting to a handbook style very short on synthesis. Successive headings dictate the content and these headings reflect the perennial colonial categories, from government to economic development down to the inevitable public health. Such a neat, if rigid organization has certain advantages for those in search of ready reference, but the cost is high. The failure to undertake interpretation seems especially conspicuous in comparison to another recent textbook, *Aspects of Central African History*, edited by T. O. Ranger. Ranger and his colleagues reflect the exciting progress made during the past five years in both pre-colonial and modern African history. Mrs. Tindall, although conscientious in absorbing archeological data and attempting a reasonable account of the Mwenemutapa empire, remains a prisoner of her colonial biases, for example by placing the Portuguese in a separate chapter rather than integrating them into a general narrative of the sixteenth and seventeenth centuries. This disjunction becomes more aggravated as the volume passes into the period of British conquest and administration. A real synthesis of Central African history will not conclude weakly that "transformation from tribal to modern society causes considerable tensions and difficulties," but will address itself to European and other forces for change, religious and political responses to modernization and continuities in African life. Mrs. Tindall has contributed a generally reliable reference work. As history, however, it is clearly a step backward.—MARCIA WRIGHT, *Columbia University.*

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Professor Samuel Baily's volume—*Labor, Nationalism, and Politics in Argentina* (New Brunswick, N.J., Rugers University Press, 1967; 241 pp., $8.00)—is a valuable aid to an understanding of modern Argentina. It explains, at least in part, the attraction of Army Colonel Juan Peron to the Argentine workers in terms of changing attitudes toward nationalism within the labor movement. It sees Argentine organized workers as having passed through three phases. The first, before World War I, when the unions were under Anarchist and Socialist leadership and most urban workers were immigrants, was characterized by an "internationalist" outlook, a rejection of patriotism, and a strong belief in international labor solidarity's primacy over loyalty to one's country. The second period, between the First War and the rise of Peron, saw the development of a "liberal nationalism" which was patriotic, but which held that political democracy and civil liberties were essential to the workers' welfare. As a result of heavy migration of workers from the countryside and the end of immigration from Europe, this liberal nationalism gave way under the impact of Peron's program to foment organized labor and enact labor and social legislation between 1943 and 1945. Instead there appeared in organized labor what Baily calls "criollo nationalism," which was authoritarian and anti-democratic, and of which Peron himself was a leading spokesman. Baily, however, tentatively predicts that as a result of the disappearance of Peron, the urbanization and growing sophistication of rural migrants, and the growth of a new generation of Peronista labor leaders who are principally bread and butter trade unionists, there is occurring in Argentine labor a return to the earlier more liberal nationalism.—ROBERT J. ALEXANDER, *Rutgers, The State University.*

Stéphane Bernard's *The Franco-Moroccan Conflict, 1943-1956* (New Haven and London, Yale University Press, 1968; 680, xxv pp., $17.50) is the translation of the first two volumes of a three-volume study originally published in Brussels. The research was done at the request of the European Center of the Carnegie Endowment for International Peace as part of a series of case studies of international conflict. (Others have appeared on the Saar, Trieste, and Cyprus.) Although the Moroccan issue was regularly on the UN agenda between 1952 and 1956, the conflict described was not one between two sovereign states. It was rather that of decolonization. Bernard's first volume is a well written, fascinating, occasionally even humorous, historical recounting of the

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growing resistance to French colonial rule. It perhaps underplays the role of the nationalist movement and is a little too detailed for most readers, but on the whole it is one of the best accounts of the actual process of decolonization available for students. It is Volume II, however, which will be of most general interest to social scientists. The style here is more ponderous and uneven, but it is an attempt to state (or restate) some general theoretical propositions about political change and then to show how the Moroccan struggle for independence can be analyzed in terms of these propositions. Furthermore Bernard consciously moves his level of analysis from the national to the imperial to the world systems, showing how each of the latter contexts affects the evolution of the conflict. More specifically he shows how the attitudes and actions of specific groups at each level are affected by the attitudes and actions of other specific groups at their own or other levels. His general conclusion—that decolonization was inevitable, but the specific path was not—is unexceptionable. What Bernard does is provide solid evidence for this in a mature theoretical framework. Volume III, unavailable in English, is a little encyclopedia of related information, of most use to the researcher specifically interested in Morocco.—IMMANUEL WALLERSTEIN, *Columbia University.*

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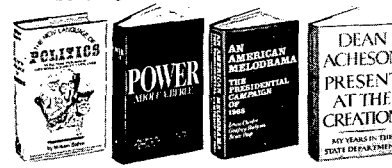

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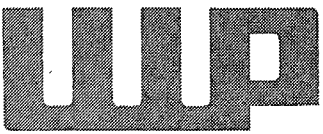

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